

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

Dr. Charles J. Martoni	-	President, District 8
Nicholas Futules	-	Vice President, District 7
John P. DeFazio	-	Council-At-Large
Heather S. Heidelbaugh	-	Council-At-Large
Matt Drozd	-	District 1
Jan Rea	-	District 2
James R. Burn, Jr.	-	District 3
Michael J. Finnerty	-	District 4
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, July 10, 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:

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

PRESIDENT MARTONI: Allegheny County Council meeting will now come to order. Please rise for the Pledge of Allegiance, and remain standing for a moment of silent prayer.

(Pledge of Allegiance.)

(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?
MR. DROZD: Present.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: Here.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: Here.
MR. CATANESE: Mr. Futules?
MR. FUTULES: Here.
MR. CATANESE: Mr. Gastgeb?
MR. GASTGEB: Here (via telephone).
MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: Present.
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Here.
MR. CATANESE: Mr. Macey?
MR. MACEY: Here.
MR. CATANESE: Mr. Palmiere?
MR. PALMIERE: Here.
MR. CATANESE: Ms. Rea?
MS. REA: Here.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Present.
MR. CATANESE: Mr. Martoni, President?

PRESIDENT MARTONI: Present.

MR. CATANESE: Fifteen (15) members present.

PRESIDENT MARTONI: Tonight we're blessed to have our Chief Executive here for his quarterly address. Mr. Fitzgerald.

CHIEF EXECUTIVE FITZGERALD: Thank you, Mr. President, and members of Council. I do enjoy coming

every quarter to, kind of, update on the things that are going on.

PRESIDENT MARTONI: And we enjoy having you here, so ---.

CHIEF EXECUTIVE FITZGERALD: Well, thank you. Thank you. And then I'll make a few remarks and then, obviously, open up to questions that you might have. Since we last talked about three months ago, we've continued to work towards our Port Authority issue that I know is on the front of everybody's mind. And it certainly is on mine and the administration. We don't have a resolution just yet, but I continue to be optimistic that working with all the partners that we have, including Local ATU 85, has been very cooperative and the state. The Governor's Office has been pretty cooperative, the agency itself and the various stakeholders, we continue to work toward the solution. And I appreciate the --- the efforts you have been making and the input you've been giving me on all of that.

Secondly, the other thing that we've certainly worked on together over the last --- oh, for many, many years, I guess, is the assessment issue. And we went through a number of town hall meetings, in fact, one in every single County Council district, and appreciate the work, again, with you, with the members of Council in your district, trying to make this very, very difficult situation as manageable as it could be. We continue to fight it. We continue to do that. We actually --- we're coming pretty close --- a week or so ago --- to getting a moratorium bill passed. And the Senate didn't do it the way we wanted to, so they got a few more session days before the end of the year. We're hopeful that they --- that they will do that.

Also on your agenda tonight, we have the introduction --- I know many of you have met him already, Mr. McKain, who I'm going to be putting forward to propose to be the new County manager. I think for those of you who don't know him and maybe met him just briefly, Mr. McKain has a terrific background and is very, very well qualified and I think will do a terrific job as our new County manager. He worked in this County for many years in the Controller's Office, under Controller Frank Lucchino. He then worked in the Budget Office for a few years. He's worked in municipal government for the Borough of Mt. Lebanon. He worked in the school district

government with the --- for the Baldwin-Whitehall School District. And he's worked in the private sector and non-profit sector, and he's on the agenda tonight. I would certainly encourage you to support Mr. McKain and then the chance to work with him. He's kind of already hit the ground running, even though he's not slated to start, if you approve him, until --- until early August. But he's been meeting with directors and working on some initiatives that I think we could all be --- we could all be proud of. I also want to thank you for your work on the Noresco issue that we've been working on. Councilman Macey is Chair of Public Works, who's one of the co-sponsors of that. That's going to be a tremendous amount of savings from this county moving forward. Phase I is already under way. And we're looking to net a positive cash flow of over \$30,000,000 on Phase I, in energy savings, utility and water savings, in all of our buildings.

I'm also pleased to note that under Phase I, our MBE/WBE contracts are almost 17 percent, which is above the 13 percent goal that we have. It's also putting 144 union tradespeople with prevailing wage jobs, to work on these projects. Phase II, which will begin in a few months and take about 18 months to --- to do, also will have a positive cash flow of over \$30,000,000. We're looking at over \$60,000,000 in positive cash flow and energy savings, you know, over --- over a number of years. And it will also leave us, when we're done, with about \$17,000,000 in capital improvements, things like boilers, chillers, air handlers, lighting, et cetera, that will save the taxpayers a lot of money out of our --- out of our budget. And again, the fact that we were able to provide such the goal that we've made with MBE/WBE in jobs and contracts is something we can all --- we can all be pretty proud of.

The financial status of the county, and I appreciate what you did last week, as we were re-authorized --- refinancing some of our debt. We're going to see approximately --- about \$14,000,000 savings in cash in the refinancing, with lower interest rates over that two-year term. It's also going to allow us to continue to do the capital budget improvements that we need to do; the Mansfield Bridge, the Greensburg Pike Bridge, some of the projects that had already begun. Working with the state and the federal government, we did

this. And again, this is --- this is something that we've done, the two-year issuance --- because of the low interest rate, it's something we thought we would take advantage of, nothing that hasn't been done before. The Roddey administration did it two times during '01 and '02 and then '03-'04. And the Onorato administration did it, as well, in '09 and '10. So again, this is something that we were able to take advantage of, historically low interest rates, saving the taxpayers an awful lot of money.

Talk about transit, again, as I talked about, you know, staving off the cuts. But let me talk about the transit, in general. The first quarter showed some good --- good results for the Port Authority. There was a 6.2 percent increase in ridership, and that corresponds to or compares with about a five percent increase in ridership nationally. And that does not count the North Shore Connector, the subway extension which did not come on, really, until the second quarter. But since the subway extension has been on there, we see a 30 percent increase in ridership on the subway, on the T, since that has gone into effect. It is extremely popular, and I could tell you as somebody that rides it all --- you know, all the time, probably, two or three times a week to different meetings in town or over the North Shore end of the South Hills, people really like how it's been doing. So we certainly have some --- some improvement to make on overall transit, but I think we can all be pretty proud of how the subway extension and now the subway, in general, has been --- has been operating.

I'll talk a little bit about some of the good economic development projects we've been working on. Glad to work with President Martoni on some of the things that have been happening in Braddock, opening a new MedExpress that's going to be going in there and some other developments, bringing some restaurants and some training and some --- getting some new buildings back on the tax roll for the first time in many, many years, keeping the job training center open in Braddock to make sure that the jobs that are there continue --- can continue to benefit the folks in the Mon Valley.

We were glad to get the TIGER Grant to help the Carrie Furnace site off of the Rankin Bridge, the extension, the ramp extension, on that 168-acre site. We see that as being a very positive development moving

forward. The good news is, really, in all economic development, is that Allegheny County and southwestern Pennsylvania has probably never been in more demand for office space and for companies growing and moving in here than it is right now. And we're very proud of some of the things that are going on with that. We're also very proud that this week we're going to be hosting NACo, the National Association of County Commissioners, going to be coming in. We've talked about that in the past. It's a way for us to put our best foot forward, kind of bragging about some of the good things that have been happening in our region. I'm just going to throw --- you know, give a couple statistics on some of the things that will be going on.

I was invited a couple weeks ago to go up to Cleveland with the Federal Reserve, District of Cleveland, which is really the Great Lakes region picked Pittsburgh. The Pittsburgh region is one of the growing sustainable economic stories in the country over the last couple of years and wanted us to go --- go talk about that. The fact is that we're the fifth highest proportion of our 25 to 35 year old workforce with a Bachelor degree, which is something we can all be very proud of. We're second only to Oklahoma City in terms of job creation over the last year. And we have the third best record of employment growth over the last five years, behind Houston --- Houston and Austin, Texas.

So you know, things are going --- going very, very well here, as far as the economy goes, so it's something we can all --- all be very proud of. I'm trying to think if there's anything else we did miss. I don't think so. With that, Mr. President, I'll be glad to open up to any questions you or the members of Council may have.

PRESIDENT MARTONI: Any questions? Nick?

MR. FUTULES: Yeah. Thanks, Rich. Thanks for coming in. You used to sit next to me, now it's kind of --- I'm lonely up here.

CHIEF EXECUTIVE FITZGERALD: I miss that, Nick.

MR. FUTULES: I do have a question about the Port Authority. About two years ago I had a conversation with Dan DeBone, and he told us that the buses were going to start dropping off people on the North Shore, versus coming into town, saving fuel, pollution and time with the buses. Is that project on the table still, or has it been

scrapped? Or is it just something that isn't going to happen?

CHIEF EXECUTIVE FITZGERALD: Well, I think it's something we're going to take a look at. One of the things that I've started to work on is trying to get the buses off of some of the inner streets of downtown Pittsburgh. If you remember, a couple years ago when they took the buses off of Market Square, those streets down in Market Square, it's really done a great improvement to that whole --- that whole site down there. The restaurants seem to be doing better. People like to be part of that. So we're taking a look, working with the City, working with the Pittsburgh Downtown Partnership, working with a lot of the business owners in downtown Pittsburgh as a way to try to alleviate some of the bus crowding that happens on, say, Smithfield Street, Wood Street, Third Avenue, Fourth Avenue, et cetera, on down to Seventh.

With the advent --- to your question, with the advent of the subway extension, which is free, by the way, for people to be able to take it, for those two stops over on the North Shore and take it into town, we've seen a great increase in the garage, the parking garage that the SEA owns over on the Northshore. It's full every day. It used to run about two thirds capacity and now it's full every day. And the surface lots over there are also reporting much more of an increase. So I think that is something we can take a look at, those North Hills buses as they come in or the buses out, say, 65, could just come in to the North Shore and then use the --- people can use the subway.

I don't know if any determination has been made. And again, it's not --- it's not something I would --- that's not something in my area of expertise. But I think in working with the planners and how people like to travel and use the system, we'll take a look at that.

MR. FUTULES: Okay. Thanks.

PRESIDENT MARTONI: Any other questions?

Heather?

MS. HEIDELBAUGH: Thank you for coming in today, County Executive. I've now got two questions for you. The first is, on May 2nd, Controller Wagner issued a press release titled, Cautious Note on Allegheny County Finances. And her major concern was, as she stated, and this is a quote, a drastic decrease in the general fund

balance. She indicated that the rating agencies recommend \$35 million and as --- at the end of 2011 we had \$6.2 million. In addition she noted, she's initiating her new focus on effective operations in government. And she hinted in her press release that she was examining and inspecting county construction projects. Last Tuesday, Council passed an ordinance, Bill Number 738-12, which emanated from your office, that authorized C-70 Bonds in an aggregate principal not to exceed \$130,000,000, for the purpose of providing funds for various capital projects, which you noted in your opening remarks. And the ordinance actually states the projects have been approved in the capital budget, as we found out last week that --- through Mr. Finkel. He told us that approximately \$80,000,000 is new spending.

So my question is twofold. How will that \$130,000,000 be repaid specifically in light of our --- our financial predicament? And will taxes have to be raised in order to repay the bonds?

CHIEF EXECUTIVE FITZGERALD: I'll answer your second one quickly. No, we're not going to be raising taxes to pay off those bonds. But many of those projects --- you're right. When I took office in early January, we were down to \$6,000,000 in fund balance, the lowest, I think, this county has ever been. So we've been working feverishly, literally, from that point on to increase the fund balance. We instituted a hiring freeze for non-essential personnel. And I'm glad to note and I appreciate the managers that are here tonight, they've been doing a very good job of holding to that and following through on that.

So we kept --- and we kept pretty good on that. We continue to look through our managers at ways to find other revenues without raising property tax, and that's something we're going to continue to do. Non-profits is probably part of that issue, Marcellus Shale and some other things are going to be part of that issue. The other part is, though, on the capital projects, we're pretty much doing nothing that hasn't been done over the years. And we own, you know, hundreds of buildings that we're responsible for, over 12,000 acres of parkland. And we've got to continue to invest and make sure that those buildings and the facilities that we own, basically, don't fall apart.

And there's been a lot of deferred maintenance over the years that we've got to catch up on. Some of the money that you talk about in the capital budget is for bridge projects and road projects that we partner with the state and the federal government. I referenced the Mansfield Bridge and the Greensburg Pike Bridge. You know, they're over \$10,000,000 alone that have been expended on those. And if we didn't go forward with that and stopped that, we would have to reimburse the state and federal government that money, and we wouldn't have the bridges built as we have. So we need to continue to take care of our buildings, to make sure that our buildings are going to be improved. We talked about the energy savings that we're dealing with, with Noresco. Some of our buildings aren't as energy efficient as they should be. So it's really a decision we're kind of making with Public Works, what the managers in this --- the County manager and chief of staff moving forward, to make sure we're spending money wisely, so that if we spend a little bit now, we don't have to spend much more later.

And I'll reference one example. Councilman Ellenbogen has brought this up over time. When the North Park Lake a number of years ago could have been dredged and could have been handled for a minute amount, we let it go, we let it go, we let it go. When the bill finally came, it was over \$10,000,000. So you know, like homeowners, when you decide if you're going to fix something up or you're going to defer it, you know, sometimes you make a decision to do it now to save money over the long haul.

MS. HEIDELBAUGH: And just to finish up on that, I don't know if you noted this remark in her press release. She said she was inspecting, and particularly, some county construction projects. Do you know of any issues that the Controller's Office is concerned about, in terms of our Public Works?

CHIEF EXECUTIVE FITZGERALD: She hasn't expressed any of those to me, so it might have been in her press release, but it didn't come from me. One thing I do like to mention that I think came about last week at the meeting. I wasn't here, but I just wanted --- I know my Chief of Staff was here, Jennifer Liptak, and now the County manager, if he's approved tonight. And I want to note that they will be --- you know, somebody will be at these meetings, and they do have the ability to speak for

me on policy. I know Mr. Robinson, I think that question came up when you were questioning if they could speak for the administration. And just so you know, they can.

MS. HEIDELBAUGH: Well, Mr. Fitzgerald, that's sort of odd, because that was exactly my next question, so ---.

CHIEF EXECUTIVE FITZGERALD: I can read your mind.

MS. HEIDELBAUGH: You obviously know me a little bit better than I thought.

CHIEF EXECUTIVE FITZGERALD: Macey's giving me hand signals.

MR. MACEY: Yes, I am.

MS. HEIDELBAUGH: So I just want to follow up with that, because it has been a source of some frustration for me in the Budget and Finance. And there has been quite a bit of perian (phonetic) intake in regard to Bill Robinson, the Chairman of the Budget Committee, and myself, in regard to questioning members of the administration who come before their committee in support of legislation that the Chief Executive has offered. And if I heard you correctly, I understand now that you will be authorizing individuals who come before that committee to speak on your behalf, if you cannot come because you have a lot of other things that you have to do. And so that I'll be free to ask them, matters of --- in regard to policy, which has been the specific objection, that obviously, you don't control the budget chairman.

But in terms of who you do control, the members of your staff, you're telling them and the public that when they come before the Budget and Finance Committee, they can speak about matters of policy?

CHIEF EXECUTIVE FITZGERALD: The County manager and chief of staff will have that ability. And obviously, with the County manager --- we've been through this transition. So there's a new manager coming in play so, you know, kind of bear with us a little bit.

MS. HEIDELBAUGH: I understand.

CHIEF EXECUTIVE FITZGERALD: Have a little patience on that. And Jennifer Liptak, who is the acting manager for the short period of time now, is kind of wearing both of those roles. But she does have the ability to speak for the administration.

MS. HEIDELBAUGH: And she happens to be an excellent representative for you.

CHIEF EXECUTIVE FITZGERALD: Thank you for saying that. I agree with you.

PRESIDENT MARTONI: Thank you. Mr. Drozd?

MR. DROZD: Thank you, Mr. President.

Anybody ---? Okay. You know, I, along with my Council members, are always looking for ways to enhance revenues without going to the pockets of the taxpayers. And in fact, in Alaska, the residents actually get a check for oil that's taken out of Alaska. We're sitting on all these deposits, and you see my --- you know, right now it's a motion, which I want to put in ordinance form. But we've got to take, you know, count of all those assets we have in those parks, where we can put money not only back in the pockets of the taxpayers, we can put money into the parks to restore them, to maintain them. And I just wanted to get your thoughts on this.

And then I saw in the paper recently that there was a --- one of my constituents pointed out to me that the airport via the county, maybe, in essence is going to develop that site out there, you know, more of those sites. How does that interact with those deposits of those Marcellus Shale gases out there, and what have we done to go after that Marcellus Shale on behalf of the taxpayers and constituents, our constituents? Because you know, that was a bone of contention. I don't know where that is, but I don't think anyone knows where that is right now. I'd like to know ---?

CHIEF EXECUTIVE FITZGERALD: Are you talking about the airport or county lands in general?

MR. DROZD: The airport and then the county lands, in general, both. You know, what are we doing to take count of what we have, at least to preserve and protect those assets and know what we have, so that we don't have to go to the taxpayer for any future increases.

CHIEF EXECUTIVE FITZGERALD: Well, twofold. Let me talk about the airport for --- to start off right there. I've authorized the Airport Authority to go ahead and try to maximize the 9,000 acres that we own, we all own, out at the --- out at the Pittsburgh International Airport. One of the problems right now is natural gas is at an all-time low. So I don't know that the taxpayers would be getting the best deal if now is the time to go out. And that's something we can all look at decide is, should we take a little bit now, or would we be better off waiting and get more money later on when the price of

natural gas goes up? We're certainly taking a look at that. The other issue with respect to the airport, which is a little different than other county lands is who gets the money. And there's a --- because of FAA restrictions and regulations, we may be limited, we, the county, and the taxpayers of the county, as to how much of that money can be brought back to the county. It may have to stay at the airport to be used to lower costs at the airport. And again, I think we've all talked about this before, that we thought, like, a 50-50 split might be a good way to do it, help enhance the airport, make it more attractive, make it more economically viable for --- to get more flights. So that's something we're taking a look at.

On the other lands, I think it becomes a little more sensitive. It sounds easy to get the money, but when you start drilling or thinking about drilling in parks, you might have a little bit of resistance to that. And one of the things I talked about in my policy is --- that I talked about during the campaign and we'll continue to do is, I'll take a look at it. I think we should take a look at it. But then we need to go to the public. We need the public to really understand what the implications could be environmentally to them. Say we decided to drill in, say, North Park or one of our --- Kane hospital land that we own or community college, you know, lands that we own, some of the big tracts of land that we own.

What is going to be the impact on the operations of that --- of what the county's doing? So I think it's worth taking a look at. We're doing some inventory on it, but we don't have any answers on that yet.

MR. DROZD: Yeah, we're not in any disagreement to that. You know, my first motion is to protect the assets, to make sure that those assets aren't siphoned off on neighboring properties. And I'm not proposing the Kanes.

CHIEF EXECUTIVE FITZGERALD: Well, I can't do that.

MR. DROZD: Yes.

CHIEF EXECUTIVE FITZGERALD: The law is pretty ---. I mean, even if they do it next door, they can't ---.

MR. DROZD: In argument. What I'm told by legal is, in argument, who owned those mcfs. You know, it could happen. But you know, then you're in an argument and then you're in a courtroom and trying to debate that. But in

any event, you know, my idea is to protect them first for the people of Allegheny County. And I'm not proposing the Kanes. My God, they sit in our communities. We don't want to go into communities. You know, this is a five-acre pad. Parks are 5,000 acres, North Park alone. So yeah, everybody wants to do it environmentally safe. But I think we have to have vision here, and we have to look forward and know where we're going to be. Now the mcf, you're right. Right now it's at \$2 and some odd cents per mcf. It was double that in previous years. But that means even at the low side, it means about --- it means approximately \$12 to \$24,000,000 a year income to the taxpayers of Allegheny County, over a four-year period, which could alleviate the tax burden on them, their pockets. So we have to look at it.

CHIEF EXECUTIVE FITZGERALD: I don't disagree.

MR. DROZD: Secondly, I want to ask this. I think we need more interaction with the Council. Councilman Robinson is --- chairs our Budget and Finance. And it's not just with you, when I'm saying this. Let's put out letters time and time again to prior chief executives and to you. And I think it's so critical in our Budget and Finance because it effects what our cash flow is, okay, but they asked sitting chief executives to come and address us, you know. I mean, once a quarter is not a lot here, you know. I mean, we do --- to do more interaction if we're going to take this county forward in future years.

And I got a letter right here. And I know there's times you can't make it or whatever, but it would be nice to see you come back --- I can't make this meeting but maybe I can make this meeting, which will gives us an opportunity to answer those questions. I think that would be good. And lastly, I would ask you, knowing, you know ---. I thank you for going over some of the issues on --- and I was going to ask that question on the fund balance. But let's do some projections here. What do you see for this county as far as it can sustain itself? The way it is now, given the way the revenues are now and the expenses, what has your staff done to project where that cost is going to come when the expenses are going to exceed those revenues? And we've got concern here.

Where do you see it? Do you have that done, or is it somewhere that you can share it with us? Because I'd like to see that in Budget and Finance if you do.

CHIEF EXECUTIVE FITZGERALD: Well, let me address both issues, Councilman. And I will be here every quarter, and I don't have any problem with doing that. And the job of an executive --- and I'm talking about any level of government --- is to come before the full body, but no executive comes to a committee meeting. So you will have my manager; you will have my chief of staff; you will have the directors at committee meetings. But the mayor, the governor, the president, they don't go to sub-committee meetings of a legislative body. So my role, like all those other roles, is to come before all of you and individually have interaction with you, which I do all the time.

I meet with different members of Council. I'd be glad to meet with you on that issue. But my chief of staff or my County manager will be at the Parks meeting, the Budget meeting, the Public Safety meeting, the Government Reform meeting and all the different meetings that go forward. As far as the expenditures and revenue issue that you brought up, it's something that we work on, literally, every single day. And with the new manager coming on, on board, he's actually been working on that even before he's on the payroll. So it's something we're looking at. We're looking to maximize revenues. And I agree with you, we want to maximize revenues without going to raising taxes. It's something we want to take a look at.

But on the expenditure side, we want to certainly eliminate any duplication or any expenditures that we don't need to have and continue to try to find savings like we're doing with the energy of all of our facilities, in all of our buildings. And we'll continue to do that.

MR. DROZD: Just a follow up.

PRESIDENT MARTONI: Go ahead.

MR. DROZD: A comment. You know, I understand what you're saying about presidents. You said --- you know, and presidents, governors and whatever. But I can't help from thinking that maybe if the president and the governor would come to some of those critical key Budget and Finance committees, we wouldn't be in the deplorable condition that this country's in, in the debt ceiling. And the state has been in one of the top states in the debt service within the country. So you know, just because the precedence has been set before doesn't mean

that's the way it has to be in the future, because I like to look outside the box. And this one thing, I think we have to start looking.

CHIEF EXECUTIVE FITZGERALD: Let me say this. I bet you insisted on this, so ---. Councilman Robinson and I have had this discussion over many, many years in previous administrations. And I defended the right of both previous county executives and how they would go before the full body. But we can disagree, and that's okay. And again, we'll have --- continue to have dialogue with all of you, as I have, and will continue to do, not just with me but with the directors and the managers of my administration.

PRESIDENT MARTONI: Thank you, Mr. Drozd. Mr. Ellenbogen?

MR. ELLENBOGEN: Thank you for coming. And I wanted to thank you for the inordinate amount of time that you spend answering individual questions, what have you. And you're only one guy, but you seem to perform like you're ten.

CHIEF EXECUTIVE FITZGERALD: With the staff.

MR. ELLENBOGEN: It's nice to see you brought your staff, but I think in fairness, you should leave at least Jennifer or Sonya here when you leave. It would only be fair.

PRESIDENT MARTONI: Here, here.

MR. ELLENBOGEN: And you've done a lot working for Economic Development in trying to rebuild the county, but what do you ---? I never even realized what a monstrous transportation problem we have in the city right now, in this county. There was a concert last week over in North Side. It took me from 4:30 to 6:30 to go from Squirrel Hill Tunnel to the other side of the Fort Pitt Tunnel. That being said, the Wabash Tunnel, that HOV tunnel that, like, no one uses --- and I would probably discuss this with Port Authority myself, but I know when I'm just --- I get more lip service from Port Authority than anything. You might have just a little bit more influence there, just a little bit.

I'm sure Senator Fontana would appreciate maybe --- you know, we could probably alleviate some of that if we could get that tunnel open even at times, to alleviate some of that traffic on those bridges, so at least ---. The people traveling to West Virginia and Ohio, I feel for them. At least our people can get home

from work. So I'd appreciate it if you could look into that, you know, the possibility of just at times leaving that open for just public use.

CHIEF EXECUTIVE FITZGERALD: Yeah, I think it's something that we could take a look at. I think there's some liability issues we might have to take a look at ---.

MR. ELLENBOGEN: Yeah, that's right.

CHIEF EXECUTIVE FITZGERALD: Let me just give you ---. I was at two big events, and I was at that concert that night. I decided to take a different mode of transportation back over.

MR. ELLENBOGEN: They all came to see you.

CHIEF EXECUTIVE FITZGERALD: I used the subway. I stayed to the end. It took me about 15 minutes to get back over here to my car. And then a couple nights later, I went to the fireworks, the Regatta fireworks, over there. I decided to drive that night. It took me a lot longer to leave by car than it did --- as I watched people. And I think one of my communications director that night who lives in Beechview, took the train. She was home long before I even got out of the parking lot over on the North Shore. So I think more people are going to start using the subway, because there's many people who live out in the South Hills, in Beechview and Mt. Lebanon and Bethel Park, et cetera. It's a great way to travel. It's a lot cheaper and there's not so many headaches, so ---. But we can take a look at the Wabash Tunnel.

MR. ELLENBOGEN: Yeah, I mean, just in general. I mean, the day the President was here, I mean, I literally thought I was going to die in my car on the second hottest day of the year.

CHIEF EXECUTIVE FITZGERALD: You should have been out on the field that day, I mean, like flies.

MR. ELLENBOGEN: I probably would have if I could have got out of the South Hills. But anyway, I appreciate your efforts and I appreciate you. Thank you.

CHIEF EXECUTIVE FITZGERALD: We'll take a look at that.

PRESIDENT MARTONI: Mr. Robinson?

MR. ROBINSON: Thank you, Mr. President, and members of Council. I want to thank our Chief Executive for being here. I want to thank him for taking some leadership in addressing the fiscal condition of this county. And hopefully, as we move forward, this Council and the Chief Executive, that we all remember that it's

going to be up to the Chief Executive and this Council to make the final decisions about the fiscal status of this county, not other interested parties. And I'm not saying anything here that I haven't said in the Budget and Finance Committee. While my name has not been mentioned by any of my colleagues to the extent that I would have a concern, I have been referenced, I believe, as the Chairman of the Budget and Finance Committee. And my concern is one of clarification. I want to make sure that I understood the Chief Executive correctly. I'm not going to try to read his mind as to whether or not he knows what's going on inside of this council and what some people may be presenting to him and how that's reflected in the activities of the Budget and Finance Committee.

I'm sure the Chief Executive respects all the prerogatives that individual council members have and also chairpersons of committees. Much of that comes from his serving as our president for a significant period of time. But I guess my concern for you, Mr. Fitzgerald, is whether or not you understood that your authorization to certain people to speak on your behalf in the Budget and Finance Committee was attached to members of this Council being authorized to speak in the Budget and Finance Committee. I don't think that's what you meant. I think what you meant is, if someone were asked whether or not they could speak on your behalf, that at least two people could say yes. That did not automatically give any member of this council a right to speak or to question that person, and I just need clarification.

CHIEF EXECUTIVE FITZGERALD: Well, you're absolutely right. I would be presumptuous to speak of any --- what any chairman's rules or what the president would deem as to what a Council member could ask. I don't normally speak on behalf of the administration. If you, as Budget and Finance Chairman, or any of the other chairs of various committees, would want to know if this person would be speaking regarding policy on behalf of the administration, then I authorized, as I said, those two people. And I wanted to put that out there publicly, so that you would know and others, because I know the question came up a week ago, I guess, at the meeting, and maybe it's come up at some Budget and Finance meetings.

No, whatever rules you have as to who can question, whether it's a member of the committee, whether it's a member of --- who's not a member of the committee

but a member of Council, that's certainly the Rules of Council. And I would not --- it would be presumptuous of me to preclude who you can question and what kind of question you would ask.

MR. ROBINSON: If I might, Mr. President, just a couple other concerns, and let me stick with finance. You referenced some conversations, historical conversations you and I have had about the role of the Chief Executive, prerogatives, et cetera. We have had several conversations in that regard. You just recently received a letter from me that one of my colleagues referenced. I think it's only fair for me to indicate to you the genesis of that specific letter, the most recent one you received from me as Chairman of Budget and Finance ---

CHIEF EXECUTIVE FITZGERALD: I have it with me tonight. I brought it with me.

MR. ROBINSON: --- inviting you to participate with us in future Budget and Finance Committee meetings. In the body of that letter, I think it's obvious that some members of the committee would appreciate your presence. That adds to my appreciation of your presence, if you choose to do so, notwithstanding any previous conversations we have had, and we could continue to have those. But I would be remiss if I didn't say that in Budget and Finance when issues have come up that the Chair, in this case, myself, has determined are policy questions that can best be addressed by the administration, I've always surveyed the room. And since I never saw your presence and no one said to me that they were authorized by you to speak on your behalf, I indicated that that policy question should be deferred until you were either present in Budget and Finance or you were present this evening or in a similar meeting. I stand by that.

So I don't want there to be any mischaracterization of my concern or my response to what I think is a legitimate concern about who sets policy in this county. I'm not asking you to agree with me, but the only policy makers who are setting --- that I know, setting policy for this county proper, are the 15 members on this Council and yourself. So my reference is only to your official role as Chief Executive and our role as members of Council, when I'm speaking about whether or not a person is authorized to make policy statements. And I think it's fair to you not to have someone say something

or do something on your behalf that could be mischaracterized or used against you.

So I will continue to view you as a policy maker. And if you choose to have others to speak on your behalf, I will respect that. Thank you.

CHIEF EXECUTIVE FITZGERALD: Thank you. And the important thing is as we go through these difficult budget issues that we have in this county, working with all of you, and certainly, you, Mr. Chairman, and your committee, we'll continue to do that. And I've been very happy at some of the initiatives and some of the suggestions and some of the policy proposals that you've been putting forward throughout the whole body. So we'll continue to do that.

I want to bring up one other thing, because I got an e-mail. Councilman Gastgeb, I guess, is on the phone. I don't know if he still is on the line, but he had asked --- and he brings this up occasionally --- regarding the prisoner/inmate work bill that he's introduced. And I just wanted to answer that. You know, we're in the process of hiring a warden. Hopefully, we'll have that done within the next month or so. You know, we're interviewing them, and the committee has done a terrific job, the search committee in doing that.

And I wanted to just at least wait until the new warden came in to office and took office, before we did this. So I did want to address it. I don't know, Councilman, if you're there, but I did get your question today that you e-mailed over to me. I guess he's not there.

PRESIDENT MARTONI: Okay. That's in --- we have that in committee, Mr. Ellenbogen's committee.

MR. ELLENBOGEN: Yeah. May I ask a question, Mr. Chief Executive? I've been requested to have a hearing on that. Would it be your preference to wait for the warden to be in place to be part of that process, or would you mind if I went ahead with that hearing?

CHIEF EXECUTIVE FITZGERALD: I think it would make sense to wait until the new warden got in place, because that's going to be the person that's going to have to carry that out. So I mean, if you want to have a hearing, it's certainly your prerogative, but I think it might be best to wait. Again, the search committee has done a lot of good work, and hopefully, we're going to have the new warden in place within the next month or so.

MR. ELLENBOGEN: Thank you.

PRESIDENT MARTONI: Mr. Futules, then Mr. Drozd.

MR. FUTULES: I just have a couple questions. The first is, more or less, employees, and I've heard the rumors, but I'm not sure. What's the status of our parking lot garage?

CHIEF EXECUTIVE FITZGERALD: We are still evaluating that and I --- we don't have a definitive answer. That's going to be a tough decision because I think it's not in the best of shape. Let's say that. So we'll have a decision we'll all have to make, as to whether we want to put money into shoring it up, or because of the way the market is right now, it might be worthwhile for us to put that on the market and see what we might be able to get for that --- for that land, that building. But we don't have an answer just yet. We'll bring that to you once we get the final --- the engineer's study on that.

MR. FUTULES: Next question. I had a conversation with Andy Baechle several times about parks, and he showed me some proposals. I just --- we'll see in what direction we're heading. You don't have to be specific, but it looked like we can significantly save as much as a couple million dollars a year in Parks by changing some policies. Is the administration is working on that for the August/September meetings that we'll be having?

CHIEF EXECUTIVE FITZGERALD: We are. And Mr. Baechle's been bringing forth a lot of good ideas that we want to all take a look at. And certainly, as Chairman of the Parks Committee, we'll be working with you. And that encompasses a lot of things we've been working on with respect to the Foundation and trying to get, you know, private money to fund some of the things we'd like to do in the parks, and obviously, working with Council. That's something we are going to continue to do.

MR. FUTULES: I'm looking forward to going forward with that.

MR. DROZD: I'm going to defer to Mr. Palmiere and to my --- we have a lady, Council lady, first.

PRESIDENT MARTONI: I have a little order here of people who had their hands up, and then we'll get into that.

MR. DROZD: Okay. He didn't speak, though, yet, Mr. Palmiere.

MR. FINNERTY: Everybody's --- I'm next.

MR. DROZD: Okay.

PRESIDENT MARTONI: Mr. Finnerty was next, Ms. Heidelbaugh, then Mr. Palmiere. I'm trying to do --- keep the best order I could.

MR. FINNERTY: Thank you, Mr. President. I was wondering if he has a new president here or something.

MR. ELLENBOGEN: I can't leave you for two minutes.

MR. FINNERTY: My question has to do with the Port Authority, Rich. There is a tremendous amount of angst out my way, Carnegie, South Fayette and so on out that way, Thornburg, et cetera, Robinson, Kennedy, in regard to the cuts that have been proposed by the Port Authority. It's out there in the public. I get a lot of e-mails in regard to this. I mean, we're talking about cuts that the Port Authority is proposing that are completely eliminating service to certain areas, in Kennedy, in Robinson, in Scott.

I would hope that for some reason, we get the money, that this doesn't have to happen. But they have the cuts out there, and people are really concerned because it seems like it's --- it's not rational cuts, let's put it that way. If you take a bus and completely eliminate it from Clever Road out there, which has a lot of housing developments on it, a lot of people --- and these are full buses that all of a sudden we're losing.

I mean, I can see cutting some routes. I mean, not some routes, but some runs from a route. But to eliminate complete routes seems to be drastic. So one of the things I really hope that some way we can get some rational discourse in regard to the elimination, if it has to be. But my hope is that I can reassure the people that I talk to that --- and I know you're working hard on it --- that this won't even happen. But at the same time, do you believe that we're ever going to have some type of funding that we don't have to go through this ever again and go through this torture with the people? People don't mind the fare rates, but they don't want to lose a bus. They don't want to lose the service, and that's the most important thing.

The Port Authority should be giving service to the people of Allegheny County. So can you give us any kind of boost or ---?

CHIEF EXECUTIVE FITZGERALD: You're hitting on two --- I'm going to talk about two issues here.

MR. FINNERTY: I sure am.

CHIEF EXECUTIVE FITZGERALD: And not that I glossed over, but let me go into more detail, as I did in my initial remarks.

MR. FINNERTY: Sure.

CHIEF EXECUTIVE FITZGERALD: As everybody knows, the Port Authority is facing a \$65,000,000 shortfall. And if that's not put in place by September 2nd, those cuts that you've referred to are there. I'm trying to do everything I can to stave that off. But let me --- I'll talk about that in a minute. But the first part you're talking about is the schedules that have been put out there show that some communities are going to be without service, Clever Road being --- and you're right. I was just out there last week and the development going on out there, the growth is tremendous. We need to do service. Senator Fontana is here. I hear loud and clear from the Senate and the House, we want to at least maintain service to every community, even if it's decreased.

We don't want to cut certain communities off, and I agree with that. That's what my charge is going to be to the Port Authority, is we can't cut off. And places like Wilmerding are showing no service, places on the other side of Penn Ave. and out 65, no service. That's unacceptable. We've got to provide service. Even if it's only a couple runs a day, we've got to at least try that. If the worst case scenario ensues and we're still \$65,000,000 short, and we have that 35 percent cut that's being proposed. But on the other side of this is that \$65,000,000 shortfall. And we're trying to do a long term --- and by long term I'm talking, like, 10, 12 years --- so that we don't go through this every year or every two years, because what we've got to give people is stability and predictability.

They've got to know that the bus service isn't going to be in jeopardy two years later if they buy a house or they invest in a property or they move somewhere and things are going to change. We've got to give people some certainty as to what's going to happen. So on both sides --- and you know, we're kind of in the middle, all of us here. We've got the state, who has a lot of revenue to bring in, and then we've got the drivers and the employees who have got to come up with some cost savings.

So both of those entities, kind of, have to come together for us to reach that \$65,000,000 magic number that we're looking at. I think if the union --- if the ATU is willing to come forth, and they've been very cooperative to this point, we'll see, you know, if we can get there. But I think they're willing to put those savings and give-backs on the table, if they know that the state, particularly the Governor and the transportation department, come forth with a long-term revenue source. From the other side, the Governor seems to indicate that he would like to see long-term savings from the workforce and from the employees. So if we can put both of those together, I think we can have a system, and it's going to stay in place for many years to come and we can get predictability.

That's what we're aiming for. We're not there yet. I don't want to --- I don't want to, you know, give false --- false impression that, you know, this is a done deal. It is not, and we still have a ways to go. But that's what we're working towards.

PRESIDENT MARTONI: Thank you.

MR. FINNERTY: Thank you.

PRESIDENT MARTONI: Ms. Heidelbaugh, then Mr. Palmiere, then Mr. Drozd.

MS. HEIDELBAUGH: Did not anticipate talking about this, but since it was brought up, I just wanted to make my view a little bit clearer. I had discussed about three months ago a desire for us to look at some savings over at the jail in regard to a conversation I had with the temporary warden, Trevor Wingard, who I think was a predecessor to the current warden. He had indicated that there were about 400 folks at the jail who were non-violent offenders, who could be placed in alternative arrangements, that would save us approximately \$12,000,000 a year, based at \$65 a day rate. That's not including the healthcare costs.

Since that time, I introduced a request here to Council and that request to just look at all of the stakeholders' issues, the court's issues, the district attorney's issues, the prisoners' issues, the public defender issues. We've been trying to put together a hearing, and my colleague, Mr. Ellenbogen, has been very helpful in trying to get that together. In the ensuing three or four months, I met with a number of community stakeholders that believe that there can be tremendous

savings at the jail, that there are about 400 people that are sort of stuck in a regulatory processing quagmire. And so I don't object, you know, philosophically, to waiting. But here's the rut, and I offer this to my fellow Council members. If we could actualize in the coming near-term fiscal year a \$12,000,000 savings over there, I'd like to be able to know what the problems are before entering the budget cycle in November and December and before all the paperwork that comes out of your administration has to be placed. So in terms of waiting to just do fact-gathering, I'd like to begin it immediately and certainly not cut out the warden. But I know he's going to have a --- he or she is going to have a learning curve. And I'd like to be able to get some of these savings this --- coming up fiscal year.

CHIEF EXECUTIVE FITZGERALD: Well, if we could do that, I would love to do that, regardless of whether the warden goes into place. If we can eliminate or reduce by 400 the population, and we can effectuate that kind of savings, it's something I think we should look toward. So I don't have a problem with working together on that and having my --- folks in my administration, the new manager and the --- our staff work on that. So that's something we can take a look at.

MS. HEIDELBAUGH: Great.

PRESIDENT MARTONI: Mr. Palmiere?

MR. PALMIERE: Thank you, Mr. President. Mr. Fitzgerald, welcome. It's good to have you here this evening. A couple things, Rich, I'd like to ask you about. Number one is, as Chair of the Health and Human Services, I've been asked recently by many people, why we haven't had any committee meetings. And I told them because we haven't had a director appointed yet. And I'd like to know --- you know, be able to tell them, when and if we're going to be able to get started on some issues. One of the issues the people are concerned about, for example, is the restaurant ratings, and so on and so forth, one of the key issues, and of course, many others, with all these block grants, and so on and so forth, coming down from Harrisburg. So can you enlighten us as to when we could expect to have a new director?

CHIEF EXECUTIVE FITZGERALD: The Acting Director, Dr. Voorhees, I think that you probably could have meetings. I think it would be worthwhile to --- to have meetings on some of those issues. We are going to

take a look again at the restaurant inspection program that was kind of put on hold by the Onorato administration. I think they were probably just waiting to --- for the new administration and new council to come into place. So we'll certainly work with you and your committee on, you know, trying to work with the Health Board, to try to put policy in place that makes sense. It doesn't hurt the industry, but it still gives the consumers some of the awareness and education of what's going on, on those inspections. I know now they're on line, but you know, we're going to continue to take a look at that. And we'll be glad to work with you on that.

MR. PALMIERE: Thank you for that. And the other issue, Rich, is the transit stops. You know, we were at a meeting not too long ago together over in Castle Shannon. That was an interesting meeting, to say the least. I just wanted you to comment, if you would, please, on what the thoughts were, in terms of cutting some of these stops and what the reasons were and what we eventually wound up doing.

CHIEF EXECUTIVE FITZGERALD: Well, one of the complaints that the Port Authority has had over the years, both on rail and in bus service, is the frequency in which the buses and rail stop. They stop seemingly at every corner, and I hear that --- we've heard that throughout time. The national standard for rail stops is one stop --- I'm sorry --- 1.5 stops per mile. The Port Authority system stops almost triple that, 3.5 stops per mile. So for people that live at the far end of the system, it takes them a lot longer to get to downtown or wherever they're going to. And what we've seen and what studies have shown is, when you have to stop all that --- at every corner, people are less likely to use the system.

It's like in a building. If you stop --- you're going to the 30th floor --- you stop at every single floor on the way up. You want to get there quickly. So the idea was to try to make the system more efficient, quicker, more streamlined, without --- you know, without eliminating the ability of people to use the system. And some of the stops were --- literally, you could see them. They were right down the street from each other. So it was a means of having them use kind of some national standards to make some improvements.

With that, though, knowing our terrain --- and you're right. We had that meeting in Castle Shannon, and

we took a look and walked the route. And we decided that the --- I think it was the Smith stop in Castle Shannon --- should go back because of the dangers of --- because it was dangerous to cross Conner Road and 88. We went with that. And we've done a few of them in Beechview. I worked with Senator Fontana. The Hampshire stop was right in the middle of a big development, but the senator was big on it in bringing it in with the IGA Supermarket and the great things that are happening in Beechview. So we took a look. I know Councilman Gastgeb was another one out in Bethel Park. And there was some development. There were some major, major improvements that were made at a stop we decided to put back. So you know, we took a look and we put a couple of them back. That was the thought process.

MR. PALMIERE: Well, one of the things that we kept hearing was that we are a mass transit system and not a rapid transit system; okay? And we got beat up pretty well concerning that. I appreciate the fact that we were able to have the Smith stop put back in, and I appreciate all your efforts. I know that was a tough evening for you and for the rest of us, but I thought you handled that really well. And I was really proud to represent Allegheny County with you that night in trying to resolve some of these issues. Thank you very much.

CHIEF EXECUTIVE FITZGERALD: You and I and Councilman DeFazio was there and tried to help folks and understand what we were doing.

PRESIDENT MARTONI: Mr. Drozd, you have the last question. Then we're going to free our Executive.

MR. DROZD: Just a follow up to my Council lady over here, is that --- you know, you were here, I think, when I did those estimates. The prison costs have gone from \$8,000,000 to \$58,000,000 --- and I want Senator Fontana to hear this --- \$8,000,000 to \$58,000,000 in that short period of time. And in addition to that, the taxpayers are paying for the healthcare costs. You know, the healthcare when you go to the prison, it's now up to \$13,000,000. And we've got to look at this. I believe I was told by one of your legislators, fellow legislators, we're the number one incarceration state in the country. So we've got to look at an ankle bracelet, bracing these people that are white collar-type criminals, so they can go out and do community service and we don't have to ---

taxpayers don't have to pay to house and feed them and pay their healthcare.

So we've really got to look at that. And I'm glad you're here, because we got to take that back to the state, and some of that is in the mandating of the census and not --- we shouldn't punish criminals but we can't house them. Lastly, I'll tell you one thing. I have to say this in follow up to Councilman --- the Chair of the Budget Committee. I can't help in thinking when we talk about drastic times call for drastic measures and new type of techniques. When I was at the Pentagon during 9-11, many a time I was on a team that we did the execution orders or deployment orders to go after the terrorists that attacked our country during 9-11.

And there was many a time on that team and I'd look up and there would be the Chairman of the Joint Chiefs of Staff right alongside us. And I can't help think of the burden that he had and yet he had time to come and see us on a daily basis. Even on Thanksgiving, one of them brought in just food for us. And the President even walked through the Pentagon to thank those that were serving and what we were doing. So I can't help in thinking how much more of this talk --- because of this, no less important to the people of this county is their hard-earned tax dollars.

And what's really critical is that Budget and Finance Committee, and we have to really address that. We're going to need more of you, a piece of you in those meetings or somebody, you know, in essence, because a lot of times even though they can talk about policy, they can't talk about specific actions, what's in your mind, what's in your vision. And we need to learn a little more about that. I'd like to see you there. Just to think about that. Okay? Thank you, sir.

PRESIDENT MARTONI: I'm correcting myself. We have two more, okay, two more questions.

CHIEF EXECUTIVE FITZGERALD: Okay. I was going to hold you to that, Mr. President.

PRESIDENT MARTONI: I wanted to hold to it, too, but they'll kill me if I don't hear them. Ms. Danko? We have Mr. Ellenbogen, and then it's over with.

CHIEF EXECUTIVE FITZGERALD: Well, for those two, I'll do it.

MS. DANKO: Okay. Rich, you know, one of the Budget and Finance issues, and you know, understanding

your philosophy better, I was wondering --- you know, we get a different TIF proposals. You know, we get some out near the airport, you know, we get Market Square TIF proposals. I was wondering, sort of, what your TIF philosophy is and when you think a TIF is appropriate.

CHIEF EXECUTIVE FITZGERALD: Well, it's interesting you ask that question. I could call on Councilman Fontana, because when it was Councilman Fontana, we sat there together, we actually developed the TIF policies this county still uses. And what it does is kind of get away from retail TIFs, particularly in Greenfield locations. And I think the county's been pretty good at following that. The previous administration did, and that's kind of my philosophy, as well. You kind of look at it on a case-by-case basis, and I think TIF was meant to deal with blighted communities. And that's actually, I think, in the state legislation that calls for tax increment financing.

So I think in certain distressed areas where there's --- you know, maybe some of the Mon Valley communities where there's been abandonment of the steel mills and heavy industry, it has a place. But to do it in more pristine areas, Greenfield areas that haven't had that, to put a retail establishment there, I don't think makes a lot of sense. So you have to look at it on a case-by-case basis. If it creates a lot of new jobs, not moving jobs around, for example, which I think retail does. If you move a retail establishment from one area, it just kind of robs the jobs from somewhere else.

But if it's, say, a new manufacturing plant or a new research and development plant or that type of facility, I think you need to take a look at tax increment financing. I think one you're looking at down at Market Square, it makes sense to me because I think that's taking an old abandoned building and taking a look at that. So for now, when you see more of the details as it fleshes out, it's something that I --- that I probably will support. The one they're talking about for Oxford, for example, on Smithfield, where they might put another 30-story office building skyscraper on the corner of Smithfield and --- I think it's Fifth Avenue.

I think, again, that's something we want to take a look at. So if we're going to attract corporate headquarters and those --- and some of those big companies

that bring a lot of good high-paying jobs, I think it's worth looking at.

PRESIDENT MARTONI: Thank you. And our last one will be ---.

CHIEF EXECUTIVE FITZGERALD: Last but not least.

PRESIDENT MARTONI: Not least but last is Mr. Ellenbogen.

MR. ELLENBOGEN: Just a brief comment and a question. Although there's been a Judge Ellenbogen --- and I've been accused of being him. I'm not him. This jail thing --- I mean, we all know a lot of the judges very well. A lot of these decisions are their decisions. You know, if I'm a judge and I put somebody in that jail and we're going to let them out, I don't know how that judge is going to feel about that. So I think the discussion should start with the President Judge.

CHIEF EXECUTIVE FITZGERALD: No question. And by the way, I want to --- you make a good point here, Councilman. And we've been working with President --- the President Judge, Judge McDaniel. She's been very, very helpful on the jail collaborative and some of these other issues and the head of the Criminal Division, Judge Manning, has also been very helpful. So you're right. It's not a decision we're going to be able to make, to release someone. And I think --- I think Councilwoman Heidelbaugh --- I think she's aware of that. But I think working together, working with the warden, having a program in place, maybe, with ankle bracelets, working with the judges on the sentencing, particularly some of these non-violent criminals that are, you know, maybe haven't paid their child support, those type of things --- it might be better for them to be out working and helping to pay that child support. They're not going to make any money in the jail while they're doing it. So you're right, you're absolutely right, so ---. Even though you're not a Judge Ellenbogen, that was a very judicial type of question.

MR. ELLENBOGEN: Thank you. The last question --- and actually, we discussed this up at Beechwood over the reassessment. Senator Fontana had a wonderful bill about how we're going to deal with some of these taxes and some of --- I was wondering where the ---. Since he's here, I was wondering where it was in the process.

CHIEF EXECUTIVE FITZGERALD: Well, he gets to stay a little bit. Maybe he can answer that question, because we're going to be honoring Senator Fontana for some legislation he got passed that's going to help some of the homeless kids in our county. It's a bill that I support. I hope he gets some co-sponsors and some more support in Harrisburg, because I think it would give all of us, me and the executive and Council, the flexibility to try to get away from property tax, if that's something we decide. Right now we don't have that flexibility that I would like, and I think Senator Fontana's bill addresses that.

MR. ELLENBOGEN: The Senator should be commended for putting that together ---

CHIEF EXECUTIVE FITZGERALD: Absolutely.

MR. ELLENBOGEN: --- because everybody is all over the board on this thing.

CHIEF EXECUTIVE FITZGERALD: I agree.

MR. ELLENBOGEN: Thank you. Thank you.

CHIEF EXECUTIVE FITZGERALD: So I'm staying around a couple of minutes to give Councilman DeFazio --- to jointly proclaimate Mr. Senator Fontana.

PRESIDENT MARTONI: Thank you very kindly for your patience and your good remarks; okay?

CHIEF EXECUTIVE FITZGERALD: Thank you. Thank you for your questions.

PRESIDENT MARTONI: And we want to welcome Senator Fontana. Thank you.

SENATOR FONTANA: Thank you.

PRESIDENT MARTONI: One of our original members of Council by the way a long, long time ago. A real long time ago. Okay. Proclamations/Certificates. 7058-12.

MR. CATANESE: Certificate of Achievement honoring Bill Stanley, of South Park Senior High School, for winning the 2012 PIAA and WPIAL Class AAA Track and Field Javelin Championships, and for breaking the national high school record. Sponsored by Councilman Palmiere.

MR. PALMIERE: Mr. President and members of Council, thank you. This is one of the more pleasant duties I have, is representing District 6, and South Park being one of my areas. Would you please come on up here? This is the young gentleman here, Bill Stanley, who not only --- not only won the javelin throwing contest within the WPIAL, but also PIAA. And he also set a national

record, so congratulations. That's a wonderful accomplishment.

(Applause.)

MR. PALMIERE: We also have his parents here. Mr. Stanley, Bill Stanley here.

MR. STANLEY: Thank you.

MR. PALMIERE: And Mrs. Stanley, it's a pleasure to have you here. I want to read this commendation for young Bill here. It's a wonderful tribute, what he's been able to accomplish.

Allegheny County Council is proud to present this Certificate of Achievement to Mr. Bill Stanley, in recognition of your outstanding athletic ability, which was showcased in your winning season during which you earned the 2012 PIAA and WPIAL Class AAA Track and Field Javelin Championships, and set a national school record by throwing the javelin 246 feet, 9 inches. Wow, that's quite an accomplishment. For this mammoth toss, Mr. Stanley became the only WPIAL athlete recognized by the National Federation of State High School Association record book.

Mr. Stanley had the second best throw in the country, 234-9 feet, entering the state meet. Mr. Stanley also holds the WPIAL record at 227 feet. Your contribution to Allegheny County's long legacy of sports champions is to be commended. On behalf of the citizens of Allegheny County, we join with you in celebration of your distinguished achievement. Sponsored by myself and my Council members. Congratulations.

(Applause.)

MR. STANLEY: Thank you, everyone. It's a great honor to be recognized at this meeting today.

MR. PALMIERE: It's a pleasure to have you.

(Applause.)

MR. FUTULES: Just to clarify that, 246 feet. That's what, 80 --- young man, is that 82 yards?

MR. ELLENBOGEN: He's probably thrown a football that far.

(Pictures taken.)

PRESIDENT MARTONI: 7067-12.

MR. CATANESE: Proclamation congratulating Pennsylvania Senator Wayne Fontana, Joe Lagana and the Homeless Children's Education Fund, on their cooperation and success in helping to establish of a task force to study the demographics of children experiencing

homelessness and to determine their schooling needs within the Commonwealth of Pennsylvania, and encouraging all county residents to educate themselves about the issues facing families experiencing homelessness and the specific challenges that students in those families face. Sponsored by the Chief Executive and Councilman DeFazio.

MR. DEFAZIO: Senator Wayne Fontana, probably most of you all know him, and Joe Lagana, he's from the Homeless Children's Education Fund. And we'll have a lot more to say in a few minutes. Before I do that, I wanted to ask our Chief County Executive, do you want to say a few words, Rich?

CHIEF EXECUTIVE FITZGERALD: No. They've heard from me enough already, I think. I just want to congratulate both Joe and Senator Fontana for their work on this effort and for the Senator to get this bill passed. I'll let you do the rest.

MR. DEFAZIO: Okay. All right. This is two pages long. I'm going to cut a little bit out of it, not much. Okay.

WHEREAS, in October 2009, the Education Law Center and the National Law Center on Homelessness and Poverty filed suit against the Allegheny County School District and the Pennsylvania Department of Education, to ensure the continued education of four students experiencing homelessness; and

WHEREAS, in March of 2010, an agreement that ensures that children experiencing homelessness may attend school in any school district in which the family has a substantial connection was reached; and

WHEREAS, the lawsuit and resulting conversations raised the issue of educating children experiencing homelessness and identified a host of issues that the families face in trying to ensure that their children are able to go to school; and

WHEREAS, Senator Fontana, of the 42nd Senatorial District, engaged in conversation with Joe Lagana of the Homeless Children's Education Fund, about the best way to prevent children from falling behind on the path to a full education; and

WHEREAS, legislation creating a task force to study the demographics of children experiencing homelessness and to determine their schooling needs emerged as a result of that partnership; and

WHEREAS, legislation from the prior session did not receive a vote by the full Senate, but the bill was reintroduced as Senate Bill 157 by Senator Fontana, on January 18th, 2011. It included 22 co-sponsors from both parties and represented areas across the state; and

WHEREAS, Senate Bill 157 passed both chambers and was presented to the Governor for signature on June 26th, 2012. It was signed into law on Thursday, July 5th, as Act 20 of 2013. We can skip down now. We're going to leave out a little bit here.

NOW, THEREFORE, BE IT RESOLVED, that Allegheny County Council and the Allegheny County Executive commend Senator Fontana, Joe Lagana, on the work they did to have House Senate Bill 157 considered and congratulate them on the bill's enactment into law. Furthermore, we do encourage Allegheny County residents to educate themselves about the issues facing families experiencing homelessness and the specific challenges that students in their families face. Education remains a constant in their lives, as well as a path to a different future --- to a path to a different future. That's signed by the County --- County Council President, Chuck Martoni. Sponsored by Mr. Fitzgerald and myself. So who wants to say a few words first? Both at once.

SENATOR FONTANA: Hi, everyone. It's great to be back, and I want to thank you for your kind remarks and warm welcomes when I come back here to my roots at County Council. But I want to thank the Chief Executive and John and all of you for this proclamation. But more than that, it actually, I think, brings more focus, a better focus, a more intense focus on the issue of homeless children in not only Allegheny County, but it obviously exists throughout the state and throughout the United States a year and a half ago.

So 60 Minutes, actually, did a segment on homeless children. And right before that time, that's when we were having that conversation that John talked about, Joe and I, that was more of a conversation, not just with me but with Amy Downs there, who was the Chief of Staff back then. And you know, we tried to write it then and it didn't work out. But I really have to thank Joe and his network and his advocates, who made a lot of phone calls to all my colleagues on both sides of the aisle, to get this moving and get it passed. I also would be remiss if I didn't thank the leadership in the Senate,

Senator Costa and Senator Pileggi and also the hard work from Senator Dinniman, who's our Education Chair, and the secretary, Secretary Tomalis, who weighed in and we had to refine it and change it a little bit, but we actually got it through. And a special thanks, actually, to Representative Vulakovich, who could have stalled it in the House but he didn't. He stayed with my bill and pushed it through, and he got it through fast. So I want to thank him for doing that. There it just goes to prove that we all can work together on both sides of the aisle if we have the right cause, and certainly, this focus that we want to put on the demographics of homeless children, but identifying them and educating them, I think, is a common cause that we all can agree on. It's something that we really, really have to push forward. It's all there; it exists. Many people don't realize that it is or haven't realized that it is. But it's something that we want to push forward. And Joe's a great advocate.

This is just a little piece of what they do at his education fund to make this --- this issue, this crisis, aware to everyone. And I was just glad to be a small part of it. So thank you for this tonight.

(Applause.)

MR. DEFAZIO: Real quick. I think most of the people up here know me, some of the people that are here now. But Wayne Fontana, Rich Fitzgerald, Jan Rea, Vince Gastgeb and Chuck Martoni, we were all on this Council right from the very beginning. And Wayne, you know, you moved up, and I guess, Rich moved up. And congratulations. He's done --- he did a good job in Council, and he's doing a good job on the Senate. And now I'm going to bring up Joe. Come on, Joe, say a few words.

MR. LAGANA: Yes. He is doing a great job in the Senate, and certainly, I'm proud to be here tonight, to be with him and with Amy Downs, who actually wrote the bill whenever she worked with Wayne. And what I want to say is what John left out of the resolution is that there are about 30,000 kids across this commonwealth who are homeless. In Allegheny County, there's close to 2,000 that we know of by name. We actually know who they are by name. We know there's probably another 2,000 that we don't know where they are, but they're living with grandma or someone else.

And they don't have a stable living place. They don't have a stable school experience. If we don't deal

with those folks effectively, they become a very expensive kind of commodity that we have to deal with later on in life. Some of them can end up in jail. Some of them end up incarcerated. Some of them end up in very bad situations. So I'm very proud that Wayne was able to get this through. It's one of the bills he got through that's strong support from both sides of the aisle almost unanimously. It was unanimous in the Senate, and it was almost unanimous in the House with, I think, three opposed to it. So I'm delighted that we finally have this done. The hard work now begins. We now have to get that task force and try to find some creative solutions on how to deal with those 30,000 children in the Commonwealth of Pennsylvania, and do it in a cost-effective way.

We've got to get those kids in school. We've got to get them educated. We've got to get them jobs. We've got to get them to be productive citizens. Thank you for your recognition tonight.

(Applause.)

MR. DEFAZIO: We want to congratulate you, too, Joe. I know you've been working hard on this for a long time among other issues, also. Thank you.

MS. HEIDELBAUGH: Point of personal privilege, Mr. Chairman.

PRESIDENT MARTONI: Sure.

MS. HEIDELBAUGH: Could we ask the senator to briefly give us a status on his bill that's pending in the Senate.

PRESIDENT MARTONI: Sure, if you don't mind.

SENATOR FONTANA: I don't mind. At this point in time, it's --- you know, we're still trying to gather some sponsors, which is difficult to do. The bill actually just pertains to Allegheny County. I wrote it just to pertain to Allegheny County, because I thought I could get more sponsors. Of course, the senators from Allegheny County are on board. I don't --- at least the Democratic ones. I'm not sure, you know, about the rest of them. I'm not getting enough momentum. A lot of you know, when we talk about property assessments, everyone looks at it --- it's a hot potato; they don't want to deal with it.

I can't seem to get the momentum up there to sign on. I didn't want to bring anybody else from any other county into my bill, unless they wanted to. They could actually amend in, if they want to, and I've

explained that to some. But right now we don't have the momentum. What I'm doing over this break, if I can go on a little bit here, in the summer is, I'm going to have some of my staff look into the cost of one to the other. The first thing someone will ask is, is it going to cost me more? Am I going to pay more if I shift --- if it gets shifted to an income or sales tax and/or a sales tax, as opposed to the property tax? And there are stats out there and there are things that I think we can gather up and have some sort of idea as to how to answer that question to each and every person. Obviously, it will change by the income we make. The income we make has something to do with what you spend. So there should be some stats out there. So I'm working on that, as we speak. I know you and I spoke on the holiday about that. I've already started the process of doing that.

I'm hoping I can go back in the fall with the statistics and show folks a little more information about why this is something that should be done. And I would hope that if we can do it in Allegheny County, and other senators or House members want to do it in their counties, they can amend in and we can get some of them now. So it's something that I'm working on. I need more information, and I'm gathering that information as we speak.

MS. HEIDELBAUGH: One more point and then I'll let you go, because I know this isn't the purpose, but I'd love to have you come to, maybe, the Government Reform Committee, so we could, you know, kind of ask questions about it and maybe do some work that we need to do to assist you in the efforts that you're trying to --- what you're trying to do in the state.

SENATOR FONTANA: I'd be more than happy to attend a meeting, if you want me to come to it, and bring the information. Probably, it will take me, maybe, a month or six weeks to gather all that information, I'm hoping that fast. And by that time, I'm sure you'll be back in session. I'd be glad to come in the fall and present whatever I find.

MS. HEIDELBAUGH: Thank you.

MR. DEFAZIO: Real quick, Heather. I don't know, Jared, you might remember, I brought this up. I thought we, more or less, put this in committee and just sat there. And we wanted to wait until they vote on it,

then we would introduce it. So we have something sitting over there. We can bring it out.

SENATOR FONTANA: Be glad to.

MR. DEFAZIO: I think Council will do it.

SENATOR FONTANA: Thank you.

PRESIDENT MARTONI: Thank you.

(Pictures taken.)

PRESIDENT MARTONI: The rest of the proclamations/certificates will be read into the record. 7059-12.

MR. CATANESE: Proclamation congratulating the Project STAR Family Visitation Center, on its opening and thanking The Children's Institute for establishing a facility that benefits children and families involved in the Allegheny County Department of Human Services, Office of Children, Youth and Families. Sponsored by Councilwoman Danko.

7060-12. Certificate of Achievement awarded to Adam Michael Vincent Zelenko, of Boy Scout Troop 23, for earning the rank of Eagle Scout. Sponsored by Councilwoman Danko.

7061-12. Certificate of Recognition honoring Mr. Frank A. Buratti, upon the occasion of his 90th birthday. Sponsored by Councilman Ellenbogen.

7062-12. Certificate of Achievement awarded to Gregory Markiw, of Boy Scout Troop 262, for being named the 2012 American Legion Eagle Scout of the Year. Sponsored by Councilman Finnerty.

7063-12. Proclamation honoring the Liberty Borough, upon the momentous occasion of the 100th anniversary. Sponsored by Councilman Macey.

7064-12. Certificate of Achievement awarded to Zachary Hilbert, of Boy Scout Troop 58, for earning the rank of Eagle Scout, and Natalie Hilbert, for earning the Gold Award, the Girl Scouts' highest honor. Sponsored by Councilman Macey.

PRESIDENT MARTONI: Thank you. Public Comment on Agenda Items.

MR. CATANESE: We have none.

PRESIDENT MARTONI: Presentation of Appointments. 7065-12.

MR. CATANESE: Approving the reappointment of Tammy Firda, to serve as a member of the Council of Friends Organization (Round Hill Park), for a term to expire on July 10, 2014. Sponsored by Councilman Macey.

PRESIDENT MARTONI: Mr. Macey.

MR. MACEY: Yes, Mr. President. I'd like to make a motion to appoint Tammy Firda to the Friends of the Park.

MR. PALMIERE: Second.

PRESIDENT MARTONI: We have a motion and a second. Question? All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered.
7068-12.

MR. CATANESE: Approving the appointment of William D. McKain, CPA, to serve as the Allegheny County Manager, effective as of August 1st, 2012. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Do we have a motion on the floor?

MR. FINNERTY: I'll make that motion.

PRESIDENT MARTONI: Mr. Finnerty.

MR. ROBINSON: Second.

PRESIDENT MARTONI: Okay. 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?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Mr. Gastgeb?

(No response.)

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

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, noes, 0. It's

approved.

PRESIDENT MARTONI: Unfinished Business.

Committee on Government Reform, Second Reading. 6867-12.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Article 903, Section 903.02 of the Administrative Code, providing for the Purchasing Officer, as head of the Division of Purchasing and Supplies, to create a policy which establishes a five percent government-wide procurement goal for participation by small business concerns owned and controlled by veterans. Sponsored by Councilwoman Heidelbaugh, Councilwoman Danko, Councilman Finnerty, Martoni, Palmiere and Macey.

PRESIDENT MARTONI: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes. Thank you, Mr. President. I would move that we pass this, this evening. I believe I have a second in Mr. Macey.

MR. MACEY: Second.

MS. HEIDELBAUGH: And if any other Council members would like to be sponsors, please.

MR. DROZD: I'd like to join as a co-sponsor.

PRESIDENT MARTONI: Please.

MR. ELLENBOGEN: Me, too.

PRESIDENT MARTONI: Councilman Ellenbogen, Mr. DeFazio, Mr. Burn, Mr. Robinson.

MR. ROBINSON: Mr. President, at the appropriate time, I'd like to be recognized on this motion that's been seconded, please.

PRESIDENT MARTONI: Yes, the time is appropriate.

MR. ROBINSON: It was my understanding that there was possibly an amendment to this bill that addressed at least my concern around who establishes policy in this county. And I was wondering if Ms. Heidelbaugh or someone else has an amendment to that effect.

MS. HEIDELBAUGH: It was done, Mr. Robinson. Your concern was noted and the change was made. And the bid is being offered as amended.

MR. BARKER: No. There was not a quorum to amend the bill in committee. It would need to be amended on the floor tonight, so a motion to amend would have to be made.

PRESIDENT MARTONI: Let's make a motion --- let's have a motion to amend, then, on the floor.

MS. HEIDELBAUGH: That exact word that we're --- we're going from policy to procedure.

MR. BARKER: That was one of the changes. The others are incorporated suggestions made throughout the committee process by various and sundry commenters. And one other change is being made to accommodate the concerns of Mr. Ellenbogen.

MS. HEIDELBAUGH: And those are all contained within what everyone has.

MR. BARKER: Those are all as discussed in committee, yes.

MS. HEIDELBAUGH: Your concern, Mr. Robinson, was addressed and it's in the amendment.

MR. ROBINSON: Okay. Another concern I had, if I might. I don't have any question with what Ms. Heidelbaugh has presented or Mr. Barker. But that's not the representation that's before us. If it is, then the amending process, I think, should have been explained to the members, so that we would know that this was an amended bill and what those amendments were. That's where I raise my concern.

PRESIDENT MARTONI: Go ahead.

MR. BARKER: Okay. As noted, the bill itself was not amended in committee because the bill --- there were not enough members present to conduct the amendment process. Ms. Heidelbaugh instructed me on Friday to send the proposed amendment for tonight out to all the Council members. I believe she'll be offering that in the next few minutes.

MS. HEIDELBAUGH: Yes, I will be.

MR. BARKER: The one on the agenda is not the amended version. That will be settled one way or the other when the amendment is offered.

MS. HEIDELBAUGH: It's a result of my inexperience, Mr. Robinson.

MR. ROBINSON: I just want to make sure that what is before us is what should be before us and that we're not inadvertently vote on the wrong thing.

MS. HEIDELBAUGH: Do you have the amendment?

MR. BARKER: I do.

MS. HEIDELBAUGH: We passed that motion. I'd like to make a motion to amend.

MR. FINNERTY: Second.

PRESIDENT MARTONI: Okay. Moved and second. Okay.

MS. HEIDELBAUGH: If you look at paragraph G, the word policy has been struck and the word procedure has been added.

MR. ROBINSON: Thank you.

PRESIDENT MARTONI: Thank you. I guess we'll vote on the amendment.

MR. FINNERTY: Excuse me.

PRESIDENT MARTONI: Go ahead.

MR. FINNERTY: First of all, what does the amendment do?

MS. HEIDELBAUGH: The amendment addresses your concern that we add the Merchant Marines. It also addresses the concern that we add active reserves. And I think that the double lines are the amendments, Mr. Barker?

MR. BARKER: The double underlining denotes text that will be added through the amendment. Single underlining is text that would be added under the original version of the bill without the amendment. Strike-through denotes language that will be deleted as a result of the amendment.

MS. HEIDELBAUGH: So we added active reserves. We added Merchant Marines. We added Coast Guard. We took out the word policy, added the word procedure. And I believe those were the heart and soul of the amendments.

PRESIDENT MARTONI: Go ahead, Jim.

MR. ELLENBOGEN: Yeah. Actually, I'd like to say --- Bill, there's also a section in here where --- and this was my biggest concern why I didn't want to vote on the bill --- was the identification of who clearly is the Chief Purchasing Officer. And Mr. Barker has defined that very well for me to be a co-sponsor. And I would like to take a second to thank the councilwoman for taking the time to --- and the diligence to satisfy all of us.

MS. HEIDELBAUGH: Thank you. And there's one more change and that was, we struck the reference to the Minority and Women's Division. And we're going to have the Chief Purchasing Officer, in cooperation with the Division of Veteran Services, create the procedure, which

is what everybody thought would work out better, versus in regard to the current issues involving Minority and Women's Division; is that right?

MR. ROBINSON: Mr. President, if I might? In anticipation that the amendment is going to pass, and then we're going to vote on the bill as amended, I'd like to be a co-sponsor to this bill.

PRESIDENT MARTONI: Thank you. We got that. Okay. We have the amendment on the floor. We have a --- it's been moved and seconded. Any other questions? That's a roll call.

MR. DEFAZIO: No, you don't have to.

PRESIDENT MARTONI: We don't have to have a roll call?

MR. DEFAZIO: Just voice vote.

MR. CATANESE: We have a voice vote on it.

PRESIDENT MARTONI: All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered. Now, we're going to vote on the bill itself; okay? We have a motion on the floor already; right?

MS. HEIDELBAUGH: Yes.

PRESIDENT MARTONI: So moved and second.

MR. MACEY: Second.

PRESIDENT MARTONI: Okay. Question? Okay.

Roll call on the bill.

MR. CATANESE: This is Bill 6867-12, as amended.
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?

(No response.)

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Yes.
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, noes, 0. The bill

passes.

PRESIDENT MARTONI: Thank you. Committee on Economic Development and Housing. 7033-12.

MR. CATANESE: A resolution of the Council of Allegheny, authorizing the pursuit of an amendment to an existing Tax Increment Financing Plan, the Potato Garden Run T-I-F, TIF, Plan, to pay for portions of the Westport Woods, to be located in Findlay Township, Allegheny County, Pennsylvania. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Do we have a motion on that resolution?

MR. DEFAZIO: Motion.

PRESIDENT MARTONI: Go ahead.

MR. DEFAZIO: No, I just made a motion.

MS. GREEN HAWKINS: Second.

PRESIDENT MARTONI: Moved and second. Question?

MS. GREEN HAWKINS: If I may.

PRESIDENT MARTONI: One question. Go ahead.

MS. GREEN HAWKINS: Thank you, Mr. President.

Just a little bit about what we discussed in the Economic Development and Housing Committee meeting the other day, with regards to this. This TIF was initially approved by Council back in 2006, I believe, and the developer is coming before us again because they would like to make an amendment to that. And in order to do so, they have to go through the entire TIF process again. So at this point, all we're doing is just treating it like another TIF and agreeing to participate in a plan that will be brought before us again for approval. Thank you.

PRESIDENT MARTONI: Thank you. Anyone else?
Mike?

MR. FINNERTY: Just one question. I wasn't there. Has the school district and the municipality agreed to this, the pursuit of it?

MS. GREEN HAWKINS: I believe --- I thought they approved the plan. If I may, I see Mr. Maurice Strul is here from the Economic Development and Housing Department. If he could please come up, if I may, Mr. President?

PRESIDENT MARTONI: Yeah. Please, come up.

MR. DEFAZIO: Point of Order, Chuck.

PRESIDENT MARTONI: Yes.

MR. DEFAZIO: I think we're the last body that votes on this.

PRESIDENT MARTONI: I'm sure we are. The question was raised that we have ---.

MS. GREEN HAWKINS: I just want to be sure.

PRESIDENT MARTONI: We just want to be positive. Okay?

MR. STRUL: The resolution that's before you has already been approved by the local taxing bodies.

PRESIDENT MARTONI: Right. Thank you.

MR. FINNERTY: Thank you.

PRESIDENT MARTONI: Okay. We have a motion and a second. Does anyone have a question? This will be our roll call vote. 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. Gastgeber?

(No response.)

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

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, noes, 0. The bill

passes.

PRESIDENT MARTONI: Liaison Reports. Any liaison reports? Barbara?

MS. DANKO: I just wanted to mention that the Local Government Academy, which I believe many of us have gone to classes that they've conducted, they're having summer school this year for newly elected officials, people that got elected in the general election last November, but perhaps, could not take the course over the winter and spring. And a lot of the classes are going to be online, so any local borough, township --- you know, it's not just Allegheny County, it's other surrounding counties. People can sign up for it. The classes start July 16th. Go to localgovernmentacademy.org or call (412) 586-5659. I know Dr. Martoni is on their board. And I think one of the best parts about Local Government Academy is this, when you get elected, you don't know what you don't know, and they're pretty good about helping you figure that out. So thank you.

PRESIDENT MARTONI: Very good. Do we have somebody else? Mr. Palmiere.

MR. PALMIERE: Thank you, Mr. President. I just wanted to take a moment to thank you, Mr. President, and my colleagues for attending the --- those of you who attended the 4th of July Parade. It was a --- we had a good time. It was a ball, but, my God, was it a hot day. I'll tell you. I just --- again, Mr. President, I just wanted to acknowledge the members of Council who did come out for the parade. It was wonderful to see all of you. I hope to have you all back again next year. Thank you very much.

PRESIDENT MARTONI: You know what? We already approved our County manager. He happens to be here tonight. I'd like Mr. McKain to get up and we could all

say hello to you. If you want to say a few words, you're welcome to; okay?

MR. FUTULES: It's speech night.

MR. MCKAIN: The first thing I want to say is I was honored to be Mr. Fitzgerald's nomination. I'm so grateful for this body that approved my appointment. I'm thrilled to come back to county government, work with the Council, be receptive with the row offices, the great management staff. I am really thrilled to come back and contribute to this county, and we touch so many people's lives. And I've met with you in different caucuses to tell you about my background. I'm really thrilled to come back, and I'm humbled about the appointment. Thank you.

PRESIDENT MARTONI: We are thrilled to have you. Thank you.

(Applause.)

PRESIDENT MARTONI: Any other liaison reports before I move on? Okay. That's good. New Business, Ordinances and Resolutions. 7069-12.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, Commonwealth of Pennsylvania, authorizing the acceptance of a donation of park benches in locations within Allegheny County parks. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. Futules.

MR. FUTULES: Mr. President, I'd like to make a motion to waive the second reading.

MS. REA: Second.

MR. FUTULES: Time is of the essence, and they need to order these benches to be implemented by October.

PRESIDENT MARTONI: That motion is made and seconded. Any question? Okay. We'll give it a roll call. We don't have to do a roll call; do we?

MR. CATANESE: Voice vote to waive it or waive.

PRESIDENT MARTONI: Voice vote. Thank you, Mike. You're so helpful. All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered.

MR. FUTULES: I'd like to make a motion to pass this ordinance at this time.

MR. ROBINSON: Second.

PRESIDENT MARTONI: Moved and second. Question? Now, this would be a roll call?

MR. CATANESE: Yes, sir. 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?
(No response.)
MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Yes.
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, noes, 0. The bill

passes.

PRESIDENT MARTONI: New Business, Motions.

7070-12.

MR. CATANESE: Motion of the Council of Allegheny County, requesting that the Allegheny County Manager provide Council with a recommendation regarding the naming of a bridge owned by Allegheny County, in honor of the innumerable significant contributions of David McCullough to the county. Sponsored by Councilwoman Danko, Councilmen Macey and Palmiere.

PRESIDENT MARTONI: That will go to Public Works. Ms. Danko?

MS. DANKO: Yes. You know, I don't say a lot here, so I hope you all will indulge me for a couple of minutes. Maybe three. Okay. As most of you will remember, Michael Connors, of Chalfant, came up with this

idea last September. And to quote one of my children --- a long time ago had to write a story about the family. He goes --- you know, my mother, she likes to go to political meetings and she likes thick books. So I think it was probably natural that I then became interested in sponsoring this motion to name a bridge after David McCullough. I've become a point person on this for a lot of people in the community, you know, and I had told people last fall I was going to wait. We had the County Executive's election. We had budget. We had social service cuts. But I think that the time has come where we can spend some attention on this. I also needed to do a little research because I know that we had gone through and named four bridges, I believe, since 1998. And you know, all of those bridges were named in different ways. So in 2008, it's my understanding that Council passed the naming rights ordinance and has different sections. So this would follow the honorary naming rights section. And my goal is to have this motion, assuming it goes to committee, comes out of committee, that we would follow the naming rights ordinance. The County manager would appoint a committee that would look into the appropriateness of naming a bridge or something else after this individual, making sure it meets the criteria in the ordinance. And then, you know, I really --- for those of you who don't know much about Mr. McCullough, he turned 79 over the weekend.

So you know, while it's not a rush, I would love, this time next year, maybe for his 80th birthday, that we could have some kind of celebration in place honoring Mr. McCullough. If you don't know, he has done close to a dozen thick books, mostly history, American history. He's done two Pulitzer Prize books on John Adams and Truman. He's also done significant work in engineering feats around the country, Brooklyn Bridge being one of them. And you know, that brings us, sort of, full circle to the appropriateness, possibly, of naming a bridge after him. I bought --- I went out to Half Price Books and bought all his books. So they'll be in my office for those of you who are interested.

But this book that he wrote is called The Great Bridge, and it talks about the Brooklyn Bridge. But if you are at all familiar with the Brooklyn Bridge, John Roebling designed the Brooklyn Bridge, and he did his early work right here in Pittsburgh. So you know, if you

read through the beginning of this book, it's all about John Roebling and the work that he did in Pittsburgh. And David McCullough always brings back that kind of Pittsburgh influence to his books. I also want to suggest --- you know, when we do get around to honoring Mr. McCullough, that --- he's a proud Pittsburgh public school student. He attended Linden School and he attended Shady Side Academy. And if you --- you know, whenever you read the flap on the book, it always says, first thing, grew up in Pittsburgh, you know. So he's --- he's proud to be from here. And I also want to say, I've gotten more e-mails about this in the last year than anything else, tax increase, reassessment, social service cuts. I've gotten more on this. People who know David McCullough they want David McCullough honored, you know, from all walks of life. And I think it's because, you know, even though he's not the most visible to all of us on a daily basis, people in the history center say that would not have happened without David McCullough, people at Carnegie Library always talking about the contributions of David McCullough. So I think it's time and I hope we do something in the next year. Thank you very much.

PRESIDENT MARTONI: Thank you very much.

MR. PALMIERE: Mr. President?

PRESIDENT MARTONI: Yeah.

MR. PALMIERE: Point of Privilege, please. Just to tag on to what Ms. Danko was speaking of, in terms of Mr. McCullough, he also wrote one of the most definitive books on the Johnstown Flood. If you really want to get to --- you know, if you really want to have a history in a chronologic order as to why that happened, that's a marvelous book to read. Thank you, Mr. President.

PRESIDENT MARTONI: That's going to the Committee on Public Works. Okay? Mr. Robinson?

MR. ROBINSON: Thank you, Mr. President, and members of Council. I have two bills that I'd like to have considered for tonight's agenda. I'd like to take them one at a time. And I would anticipate that these bills will be put in committee. I don't have any remarks or anything on the bills. I'd just like to put them on the agenda and hopefully my colleagues will agree to put --- to put them on the agenda. And then I would anticipate that the Chair or the President would refer them to the appropriate committee.

PRESIDENT MARTONI: Okay. Do we have the bills to refer to the appropriate committee?

MR. ROBINSON: Mr. President, if I might, the first bill deals with the establishment of a Special Prosecutor in this county. If it's your pleasure, our clerk, Mr. Catanese, can read that bill.

PRESIDENT MARTONI: Mr. Catanese?

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Allegheny County Code of Ordinances through the establishment of a new Chapter 320, entitled Private Advisory Counsel, in order to establish a mechanism for the retention of special prosecutors in cases involving alleged police misconduct within Allegheny County.

PRESIDENT MARTONI: We'll send that to committee.

MR. FINNERTY: Do we have a motion to second?

MR. ROBINSON: I make a motion to put it on the agenda for tonight.

MR. MACEY: And I'll second, second.

PRESIDENT MARTONI: We have a motion and a second to put it on the agenda for tonight. All in favor? (Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered. It's on the agenda for tonight, and we will send it to the Committee ---.

MR. ROBINSON: Public Safety, please.

PRESIDENT MARTONI: We'll send it to Public Safety Committee.

MR. ROBINSON: Mr. President, I have another bill.

PRESIDENT MARTONI: It's on the way.

MS. HEIDELBAUGH: Point of Personal Privilege. Is this --- is this appropriately in Public Safety, or should that be in, maybe, Government Reform?

PRESIDENT MARTONI: I saw all those district attorneys, everything, and I thought Public Safety Committee. I hesitated, too, on that seeing that it concerns the district attorney. It appears to be Public Safety.

MS. HEIDELBAUGH: Well, the only reason I asked, Mr. Chairman, is because it says it's going to amend the Allegheny County Code of Ordinances and start a Private Advisory Counsel. It seems like it's Government Reform Committee.

PRESIDENT MARTONI: Mr. ---?

MR. ROBINSON: Mr. President, if I might speak specifically to Ms. Heidelbaugh's concern. The Advisory Committee that she references is already a part of the law of this county. So you're not actually creating the Advisory Committee. That portion of the law already exists for the District Attorney to create this particular entity.

MS. HEIDELBAUGH: I'm just reading what it says here. It says amending the Allegheny County Code of Ordinances through the establishment of a new Chapter 320, entitled Private Advisory Counsel.

PRESIDENT MARTONI: Mr. Finnerty?

MR. FINNERTY: I believe that you can disagree with that, but I also believe that it's the power of the president to put something in a committee of his choice. And I think he's made that decision --- thank you --- according to our rules.

MR. ELLENBOGEN: Mr. President?

PRESIDENT MARTONI: Yes.

MR. ELLENBOGEN: May I?

PRESIDENT MARTONI: Yes, you may.

MR. ELLENBOGEN: And I don't speak for Councilman Robinson, but I believe that his main concern is public safety in this issue. And because his main concern is public issue --- is public safety, I think it's an appropriate committee, my committee. But if the sponsor himself would want to remove it from my committee, I wouldn't object. But I believe it's a public safety issue. You're talking about things like police misconduct. You're talking about things that affect the public's safety. You know, all the rest of it is legal jargon. This belongs in Public Safety, as far as I'm concerned. But you know, I'll bow to the will of Council.

PRESIDENT MARTONI: Well, we're going to send it to the Public Safety Committee; okay?

MR. ROBINSON: I have another bill, Mr. President. This second bill relates to the establishment of a Police Accountability Board in Allegheny County. And if it's your pleasure, Mr. Catanese can read that bill. I want to put it on the agenda, so that it could also be referred to the Public Safety Committee.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Allegheny County Code of Ordinances through the

establishment of a new Division 9 entitled, Conduct, and a new Chapter 905 entitled, Citizens Review Board, in order to establish a mechanism for citizens' review of allegations of misconduct undertaken by police officers within Allegheny County.

MR. ROBINSON: Move to have it put on today's agenda.

MR. PALMIERE: Second.

PRESIDENT MARTONI: Moved and second. It's on today's agenda, and we're going to send it to the Public Safety Committee. Thank you.

MR. ROBINSON: Thank you, Mr. President.

MR. BURN: Mr. President, I think we need a motion to approve --- or to put it on.

MR. CATANESE: Voice vote.

PRESIDENT MARTONI: Motion to approve? I think we have a motion.

MR. CATANESE: We have it. We need to vote.

PRESIDENT MARTONI: We just have to vote. I went too fast. Okay? I looked at the clock and had some --- some reason to go faster. Okay? Okay. So all in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered. I'm slowing down now; okay?

MS. REA: No, I'm a no.

PRESIDENT MARTONI: We have a no; okay?

MR. DROZD: A second no.

PRESIDENT MARTONI: The second --- we have two noes. Who's the two noes so we can get it down? Matt and Jan. Okay. We have two noes. Notification of Contracts.

MR. CATANESE: I have none.

PRESIDENT MARTONI: Okay. Public Comment on General Items. We have two speakers. I hope they stayed with us tonight. Gayle Downey? Gayle? Come on, Gayle. I know you waited a long time for this.

MS. DOWNEY: Is everybody awake now? I know you're all on the edge of your seat and ready to go home, and I appreciate you all listening to me. My name is Gayle Downey. I live in the town of Bellevue. You've probably heard of it, especially if you've been watching the news. There's a loud group that is having havoc over an ordinance regarding grilling. But also in that ordinance, you don't hear discussing, is open burning, and that's why I'm here. I'm not --- I didn't speak against

open burning. And by the way, it's nice to see Ms. Hawkins here. She was at the meeting.

MS. GREEN HAWKINS: Yeah.

MS. DOWNEY: You should have stayed. It got rather exciting. Anyway, the --- the open burning portion is pretty much what the county has. And to be honest with you, I think perhaps because of all the chimneys and things like that, that it's time to look at the Allegheny County burning issues, the opening burning laws. I realize that Allegheny County is large, and there are places in the country where, you know, if someone has a backyard fire, it really isn't going to bother a lot of people. However, I mean, you're in Bellevue. And I don't know if most of you have been in Bellevue. It's pretty small. It's pretty congested.

There are quite a number of people that are having their backyard fires. And the ordinance that Bellevue already has passed states that you can't allow --- shouldn't allow the smoke to go over their yards and what have you. That's going to be hard to do. And the reason I'm talking opening about it is because I read a letter about wood smoke and the harmful ways that it can hurt people, and it's through the lungs. And although I was a smoker, I quit a number of years before I ended up on oxygen and discovered that it was because my lungs don't --- the air doesn't flow, much less flow through.

And what I did was, I looked on your website, and I found that --- I was surprised. I read about this, about wood smoke, from a letter to the editor in our local paper. So I went to a --- the Bellevue Council meeting to just let the people know, the Council know, that there is harm, you know, in wood smoke, because ---. I lived in the country in Venango County, and I used to burn wood a lot. And I'm going to guess, because my lung doctor told me that I'm too young for this, even with smoking, that ---. And so I kind of attribute a lot of my problem, my breathing problems, with wood smoke.

Now, in Bellevue, there were a couple of times, and one in particular, where I was dropping a friend off --- we had been out --- and I couldn't breathe. I literally had to roll up my windows and go home. I could not breathe because someone had a fire going in their backyard. And I just want to let Council know that it's going to be a growing problem, and I think my three minutes are up. Do I need to push something? No, just get the heck

out. Anyway, I'm going to leave you with this. This is your own site, and it states that --- about the major health threat. And also, the Health --- your Health Department says everyone has to do your fair share, even individuals. We simply can't afford to ignore pollution sources because they seem small. So I would like to bring this up to you for future reference for now. Thank you.

PRESIDENT MARTONI: Thank you very much.

MS. DOWNEY: I didn't bring too many. I wasn't sure how many were on.

PRESIDENT MARTONI: We'll get a copy of it.

MR. FUTULES: We'll take copies.

MS. DOWNEY: But the thing is, that's just a small ---.

PRESIDENT MARTONI: Well, we thank you.

MS. DOWNEY: But I appreciate you listening. If you could please look at your burning --- the open burning issue, I'd appreciate it. Thank you very much.

MR. FUTULES: Thank you for coming in.

PRESIDENT MARTONI: Carol Wivell? Did I ---?
Pronounce your last name, Carol.

MS. WIVELL: You did good.

PRESIDENT MARTONI: I did?

MS. WIVELL: Wivell.

PRESIDENT MARTONI: Long time in a long time, I get it right.

MS. WIVELL: If I was really together I would have made copies for you, but I didn't do that. And I'm not going to read all this. I know three minutes goes fast. My purpose here today is to make three points. I'd like to make sure that this Council is aware that there is a significant wood smoke problem in our urban areas that threatens our health, particularly --- particularly the most vulnerable populations --- I think Gayle speaks well for that --- to make this Council aware of the political obstacles and the manipulative media games blocking the way of citizens who have been seeking health protection through local ordinances.

I came here two years ago to talk about the same thing. Councilman Drozd, you referred me to the Public Safety Committee, and you know, I appreciate that. And Ms. Hawkins --- Green Hawkins, I appreciate the fact that you came to our local council meeting, and that she saw the presentations that we did there, too. Two years ago, Council member Cleary, who was on the Health Department

Committee, told me, well, this sounds like a Bellevue problem. Well, it's still a Bellevue problem. It's a much bigger Bellevue problem, but it's actually a county problem. The volunteer fire chief in Bellevue says, well, you know, we can't do anything about this because this smoke is coming from Ross Township. This smoke is coming from Brighton Heights. But the smoke is coming from Bellevue that I'm aware of. But you know, they're probably right, too, because it --- it is throughout. I'm not going to belabor my own health problems with you. I only get headaches, sore throats, plugged up ears and a sinus irritation. But that's enough. And it's enough that I can't keep my windows open in the summertime anymore and I resent it.

And if my window is open, the wood smoke comes into my house to give me a headache and illness. I know that tomorrow, that ---.

MR. CATANESE: You've got a minute.

MS. WIVELL: I appreciate that the new code under the Health Department that will be adopted tomorrow for this county --- I know people have been working for the past two years. And one thing that really struck me is that people are emphasizing health risk calculations based on cumulative impact of all the point sources of pollution. This is an article from The Post-Gazette from 11 years ago, about fire pits and chimineas. Customers love them, we're serving --- selling more and more every year. And there's a whole list of retailers. And you know, if you go to all the --- Home Depot, Kmart, Wal-Mart, they're all over and everybody has bought them now. And a lot of them are in Bellevue.

Regarding the fact that these fires are done low to the ground, people are seriously exposed on the micro level.

MR. FUTULES: It means your time is up.

MS. WIVELL: Another minute?

PRESIDENT MARTONI: Go ahead. Finish up.

MS. WIVELL: Thank you. This is a June 14th article from Kitchener, Ontario. Municipalities all over North America are trying to get a control on this. There's a picture of this lovely elderly couple. Mrs. Schneider (phonetic) --- Pat Schneider and her husband, Clifford, settled onto their --- into their deck chairs for a quiet evening in the back yard of their home, only to be forced inside by the smoke from a neighbor's outdoor

fire. And it happens more and more and more. It happens to me. The Mayor of Bellevue, after the Council finally, two and a half years later, got an ordinance passed --- the Mayor of Bellevue advocates civil disobedience. And now Marty Griffin is on the bandwagon, and he's bringing the circus to town in Bellevue. And he's having grill-a-thon in Bellevue on Thursday morning, so you can come and you can get free hot dogs. And that is the pretense. This is not about grilling hot dogs. This is about wood smoke making people sick. And this is a lie that Marty Griffin has perpetrated, and he's ridiculing the people that spoke to Bellevue Council about their illness. Debbie Overly (phonetic) has --- Debbie Overly said that she currently is in remission with a fatal condition known to be caused by inhalation of benzene, which is released when wood is burned.

Her struggle to manage her condition is made difficult by a neighbor who burns frequently, according to her husband, Edward. She's too stressed out to be here tonight. She spoke to County --- or Bellevue Council. Here is a table of a wood smoke --- the chemical emissions when wood is burned. Right here highlighted is benzene. Marty Griffin is making fun of this woman. Okay. Here's an incident, Bellevue Volunteer Fire Department. April 25th, at approximately 1320 this afternoon, Bellevue Fire --- the Police Department began receiving reports from staff at the Bellevue Elementary School of someone burning in a burn pit --- they were residents next door to the school --- causing smoke and odor with it to begin entering the school's gymnasium. Blah, blah, blah. Multiple children had been taken to the nurse's office with symptoms. Blah, blah, blah. Students totaling eight students had become sick as a result of the smoke in the middle of a school day, in the Borough of Bellevue.

PRESIDENT MARTONI: You've certainly made your point, so we appreciate that. Okay?

MS. WIVELL: Thank you.

PRESIDENT MARTONI: Thank you.

MS. WIVELL: So please, please eliminate the loophole in the law where people can have recreational wood fires. In this urban setting, we don't need it. Thank you.

PRESIDENT MARTONI: Thank you. Thank you. Do we have a motion for adjournment?

MR. DEFAZIO: Motion --- second.

PRESIDENT MARTONI: Moved and second. Question?
So moved.

MEETING ADJOURNED AT 7:05 P.M.

CERTIFICATE

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

Beth A. Quigley