

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

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

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

Tuesday, July 12, 2011 - 5:00 p.m.

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

IN ATTENDANCE:

James Flynn - County Manager  
Joseph Catanese - Director of Constituent Services  
Jared Barker - Director of Legislative Services  
Jennifer Liptak - Budget Director

PRESIDENT BURN: Good evening, everyone. I'd like to call to order this meeting of the Allegheny County Council, our regular meeting of Tuesday, July 12th, 2011, our final meeting before we adjourn for summer recess. I'd like to thank all my colleagues and our guests and others for attending. At this time, we would ask --- well, please rise for the Pledge of Allegiance, followed by a moment of silent prayer and/or reflection.

(Pledge of Allegiance.)

(Moment of silent prayer and/or reflection.)

PRESIDENT BURN: Thank you. Please call the roll.

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?

(No response.)

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Here.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Here.

MR. CATANESE: Mr. Gastgeb?

(No response.)

MR. CATANESE: Ms. Green Hawkins?

(No response.)

MR. CATANESE: Mr. Kress?

MR. KRESS: Here.

MR. CATANESE: Mr. Macey?

MR. MACEY: Here.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: 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. Burn, President?

PRESIDENT BURN: Here.

MR. CATANESE: Twelve (12) members present.

PRESIDENT BURN: Proclamations and certificates.

MR. CATANESE: Proclamation honoring the Kane Foundation for its fundraising efforts to support the residents of the John J. Kane Regional Centers. Sponsored by Council Members Palmiere, DeFazio and Danko.

PRESIDENT BURN: Council Members Palmiere, DeFazio and Danko, you have the floor.

MR. DROZD: I'd like to add my name to that if I could, Mr. President, to be added as a sponsor to that.

PRESIDENT BURN: Without objection, so amended to include Council Member Drozd. Is that okay, Mr. Catanese?

MR. CATANESE: Yes.

MR. PALMIERE: Good evening, ladies and gentlemen.

PRESIDENT BURN: Mr. Palmiere, point of order. Let the record reflect that I believe Council Member Ellenbogen is now in attendance. James, is that you?

MR. ELLENBOGEN: Yes, sir. Thank you.

PRESIDENT BURN: Good evening. Thank you, Councilman.

MR. PALMIERE: You're welcome, Mr. President. Hello, Council members, President, ladies and gentlemen. We're here tonight to recognize one of our best kept secrets in Allegheny County, the Kane Foundation. We have attending tonight Mr. Dennis Biondo, the director of the Kane Centers, and Foundation Board Member Dr. Tom Foley, President of the Kane's Foundation Board, Louise Costa, Secretary of the Kane Foundation Board, and Cathy Frasca, Vice-President on the Board. The Kane Foundation receives and maintains gifts to the Kane Centers and dollar case funds for recreational, charitable, scientific, educational activities that improve the quality of life for the residents of the centers. Over the past ten years alone, the Foundation has raised over half a million dollars. I have alongside me Councilman DeFazio, who'd like to say something, please.

MR. DEFAZIO: Yes. I'd like to also go along with Councilman Palmiere and also say that they do a wonderful job up there. And I just wanted to come up and say just a few words. I want to thank everyone for the work they do out there for the people. Thank you.

MR. PALMIERE: Thank you, Mr. DeFazio. And I'd like to make one comment before asking our good friends to come up here. I recently attended, along with Mr. Macey and Mr. Catanese --- we were out for the dedication of the

new garden out at the McKeesport facility. And it was just a beautiful day, and the facility out there is just magnificent. And if anyone has an opportunity to go out and visit the center, it would be --- I'm sure you would be pleasantly surprised and really appreciate the work that's been done. Would you please come on up? Louise Costa is not here, but Jerry Allen is here, one of the trustees, and Clarence Hopson, also a trustee, up here to join us. I'll read this proclamation if you will, please.

Whereas, for the past 30 years, the Kane Foundation has generated valuable funds for care facilities and the quality of life for residents of the John J. Kane Regional Centers.

And whereas, the Foundation is a non-profit organization that researches, identifies and prioritizes special needs for the residents of each of the four centers in Allegheny County.

And whereas, the group implements fundraising activities to elicit financial resources for the center's needs. In the past ten years alone, the Foundation has raised over \$550,000 for the Kane Center.

And whereas, with the resources generated by the Foundation, the centers have improved community life by implementing recreational and cultural-related outings, promoting therapeutic activities and creating customized visiting areas for residents to spend time with family and friends.

And whereas, the Kane Foundation efforts have greatly advanced the quality of life at the John J. Kane Regional Centers.

Now, therefore, be it resolved that Allegheny County Council, on behalf of the citizens of Allegheny County, hereby commends the Kane Foundation for assisting to improve the quality of life for residents of the John J. Kane Regional Centers in Allegheny County. The Foundation is an integral part of the care provided at the centers, and this Council thanks the Foundation for all its efforts. Sponsored by myself, Mr. DeFazio and Mr. Drozd. It's a pleasure to have you all here. Congratulations.

(Applause.)

MR. PALMIERE: Would you care to speak?

MR. BIONDO: A few words. I just want to be sure that everyone understands what the foundation is. The foundation is a 501(c)(3) corporation. It was

actually incorporated in 1981, so it's been around a long time. But the last ten years, it's become much more active. We have four of the Board members here with us. The Board is a 15-member board. Four of the members are the Chief Executive, President of the Council, the County Solicitor and the Executive Director. Joe Catanese attends all of the meetings with --- of the Foundation Board on behalf of Council. And I want to thank Joe. He's been a great supporter and has always been there for us whenever the foundation or even the centers needs anything.

And as I would mention, the types of things that the foundation raises funds for, all the little things that --- you know, with all the budget stretches, that we're able to do all the extra little things like go to a lot of Pirates games with the residents, trips to Steeler camp, we even took them to one of the casinos when the casinos opened up, those kinds of things, outings, cable TV for the residents that is paid for through the foundation, the Internet service. We have a computer lab at each of the centers for the residents which was paid for and funded by the foundation. And if you ever have a chance to visit, you'll see the types of things that the foundation has sponsored and paid for throughout all the centers. Again, I want to thank you for this proclamation. And when you see someone selling raffle tickets in the City-County Building or someone shooting hoops for charity in the courtyard, we're the charity. So buy a raffle ticket and sponsor the --- whoever is shooting the hoops. And it's much appreciated. Thanks again.

(Applause.)

(Pictures taken.)

PRESIDENT BURN: 6450-11.

MR. CATANESE: Proclamation honoring Dr. Donald Lee for his career of service to Allegheny County school districts. Sponsored by Council Members Burn, DeFazio and Kress.

PRESIDENT BURN: Thank you, Joe and members of Council. I'd like to invite Superintendent Lee up to the podium. It's good to see you, sir.

DR. LEE: It's good to see you, President Burn.

PRESIDENT BURN: Thanks for being here today. I've invited the superintendent here to celebrate his career and to wish him the best of luck as he moves on to

other ventures. The Shaler Area School District is, in our opinion, one of the finest of many fine school districts in Allegheny County. It has been a beacon to educate some of our future leaders, some of whom aspire to run for public office, such as Council Member Kress. Our Council members at large, Ed and John, who also live in Shaler, were invited and I thank them. I appreciate their joining in the sponsorship --- in co-sponsorship of this proclamation. Before I get into the particulars, Superintendent, I would invite the co-sponsors, Mr. DeFazio and Mr. Kress, if they'd like to say a few words about your outstanding efforts and the efforts and of how you have increased the education and the efforts of the Shaler Area to make for some fine young men and women coming out of the school districts. So gentlemen, if you'd like to ---.

MR. KRESS: I'd just say I attended Shaler Area, and I have to say Shaler turns out very, very fine Council people. Okay? The best Council people is all the Shaler Area. And I have to say I know that sometimes we look at public education and see the negativity out there. I want you to know that Don Lee represents what's the best in public education. If it wasn't for public education, many people wouldn't be educated today. And we have to thank our teachers and the support staff and everybody in public education for what they do. And I really appreciate what you've done for me. And I actually wouldn't be here today if it wasn't for the education I received at Shaler. So thank you very much.

MR. DEFAZIO: I didn't go to Shaler, but I have six kids that all go to the Shaler school, and I know Dr. Lee, for a long time, he's done a good job and I'm glad to be up here honoring him today.

PRESIDENT BURN: Before I read the proclamation, Superintendent, as a Millvale residents in the Shaler Area School District, I thank you for the communication that you always gave me when I was mayor on issues involving our children in the borough and on public safety issues. And my two boys, Jimmy and Brandon, who are currently in the Shaler School District, they love to get calls from you, especially in January and February. They love the recorded messages that school has been cancelled. So they told me to say hello. They're going to miss your voice, but I'm sure they'll welcome the new superintendent's voice, especially in those two months, so --- especially

the little one, Michael. He loves to hear it from you. So with your permission, sir, I'd like to read this into the record and invite you to say a few words.

Whereas, after 14 years serving the Shaler Area School District as superintendent and after 28 years as a teacher and administrator, Donald Lee will retire at the end of this month.

And whereas, Mr. Lee built a sustainable academic infrastructure during his tenure as the Shaler Area superintendent. He assisted in hiring in 27 of the districts, 30 administrators and more than 300 of its 400 current teachers.

And whereas, in a school district of nearly 5,000 students, Mr. Lee created a familial bond with teachers, staff, parents and students by attending Parent Club meetings, observing classes, maintaining communications with Board members and remaining visible at district events and activities.

And whereas, Mr. Lee improved facilities by working with the School Board to update its infrastructure and facilities. Mr. Lee helped improve academics by reorganizing buildings to encourage students to collaborate and excel.

And whereas, in his retirement, Mr. Lee will continue to serve the community on the Millvale Library Board and the Keystone Health Plan West Board. He leaves the school district with a legacy as a fair and honest leader.

Now, therefore, be it resolved that the Allegheny County Council, on behalf of the citizens of Allegheny County, hereby honors Donald Lee upon his retirement as superintendent from Shaler Area School District. This Council commends Mr. Lee for improving this county's academic infrastructure and hopes he enjoys his well-deserved retirement. On behalf of myself and my colleagues, the residents of the school district and the residents of Allegheny County, thank you, sir, for a job well done.

DR. LEE: Thank you.

(Applause.)

DR. LEE: Many thanks to all Council members, particularly Councilman Burn, Councilman Kress and Councilman DeFazio and also acknowledging Jan Rea who, I understand, was a graduate of Shaler. So I don't have to tell the four of them what a special place Shaler Area is.

As it turns out, in my career in Allegheny County and those years of service that Councilman Burn mentioned, I was a teacher in the North Hills School District for several years, a principal there and then was also Superintendent of Schools in South Allegheny, which is in the southeastern part of the county in the Mon Valley. And then I ended up my career at Shaler. I do want to acknowledge my wife is here this evening with me. She also just finished her distinguished career as a teacher in the Allegheny County schools for over 30 years. She taught at Shaler long before I was there as superintendent, and she finished her career in Hampton as a teacher.

Serving the community, I do what all of you do. We're public servants, and we all find our niche as to how we best serve the public. And being an educator was something that excited me and it was something that I was very passionate about doing. And it was easy to be the superintendent at Shaler Area because it's such a wonderful place with such hard-working, blue-collar-minded people who really appreciate a strong work ethic and loyalty. As Councilman Burn said, one of the things that we try to do in retirement to give back is serving on the Millvale Library Board. It's a group of people who are trying to get a public library in one of the abandoned store fronts in Millvale. So if there's any money that is ever flowing from Allegheny County, they need help. They're in a brick and mortar stage, but they can use any assistance you give. That's just an example of the type of people that live in the Shaler area. So it's an honor to have served all the school districts in the county that I work with, particularly Shaler Area these last 14 years. And I am looking forward to retirement, and I just appreciate the fact that you would take your time to acknowledge my service, something I enjoy doing each and every day, so I appreciate it very much. And thank you for having me this evening.

(Applause.)

(Pictures taken.)

PRESIDENT BURN: 6451-11.

MR. CATANESE: Proclamation commending Roger Paradis for his induction into the Soldiers and Sailors Hall of Valor and for his service to our country. Sponsored by Councilman Finnerty.

MR. FINNERTY: Thank you. It's a great honor and pleasure to be standing up here to award Roger Paradis a proclamation for his distinguished service to our country and also to the honor that Soldiers and Sailors has given to Roger, as they have inducted him into the Soldiers and Sailors Hall of Valor. We all, all Americans, owe Roger a thank you for his distinguished service during the Vietnam War. I would also like to invite Chief Jeff Hartman up and former council president and councilman, Mike Sarsfield, if they would come up. Roger's wife's here, Dorothy. I'd like to read the proclamation.

Whereas, this nation serves as home to courageous individuals who sacrifice willingly to defend the virtues and freedom of citizens.

And whereas, Roger E. Paradis was born in Isthmus, Massachusetts on December 31st, 1942 and was raised in Salem, Massachusetts. He enlisted in the United States Air Force in 1959 at 17.

And whereas, Mr. Paradis accumulated over 8,000 flying hours, including 800 hours on combat missions in Vietnam from 1966 to 1968.

And whereas, for his service and dedication to duty during combat operations, Mr. Paradis was awarded two Distinguished Flying Crosses in the Republic of Vietnam on December 3rd, 1967 and May 8th, 1968. Mr. Paradis also received numerous other awards, including six Air Medals, the Purple Heart, the Air Force Commendation Medal and the Marine Corps President's --- Presidential Unit Citation.

And whereas, on March 27th, 2011, Mr. Paradis, a proud resident and outstanding citizen of Carnegie Borough, was inducted into the Soldiers and Sailors Hall of Valor for his career of distinguished service to our country.

Now, therefore, be it resolved that Allegheny County Council, on behalf of the citizens of Allegheny County, hereby honor Roger E. Paradis for being inducted into the Soldiers and Sailors Hall of Valor and commend him for his selfless commitment to serving and defending the United States. We hope others recognize Mr. Paradis' unwavering service. This is sponsored by myself, Michael Finnerty, and presented the 12th day of July, 2011.

(Applause.)

MR. PARADIS: I would like to thank the Allegheny County Council for this award and everything and --- you know, thank you.

(Applause.)

MR. HARTMAN: As chief of police at Carnegie, I can't tell you how proud we are of Roger. As a fellow Vietnam vet, I am extremely proud of him. And as you notice, one of the citations he got was the Marine Corps Presidential Unit Citation. Roger was in the Air Force. I was in the Marine Corps. He saved a lot of Marines. Thank you, Roger.

(Applause.)

MR. SARSFIELD: As a member of Carnegie Council, it makes me proud that I'm able to serve residents like Roger and his wife. And it's truly individuals like that that give me the ability to serve in the capacity I do. And I when I passed the information along to County Councilman Finnerty, he was more than excited to make such a presentation to Roger, and I was just ---. It's a great representative that we have in Roger in our town. Thank you.

(Applause.)

(Pictures taken.)

PRESIDENT BURN: The remaining proclamations shall be read into the record.

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

6452-11. Proclamation recognizing Youghiogheny Country Club's 100th anniversary. Sponsored by Councilman Macey.

6453-11. Certificate of Achievement honoring Keith Joseph Berbach of Boy Scout Troop 916 for earning the Eagle Scout ranking. Sponsored by Councilman Macey.

6454-11. Certificate of Achievement honoring Alexander Noullet of Boy Scout Troop 1111 for earning his Eagle Scout ranking. Sponsored by Councilman Macey.

6455-11. Certificate of Recognition honoring the 65th anniversary of Emil and Marcella Raynak. Sponsored by Councilman Macey.

6456-11. Certificate of Recognition honoring the 65th anniversary of Glenn and Catherine McKeown. Sponsored by Councilman Macey.

6457-11. Certificate of Recognition honoring the 50th anniversary of Matthew and Melba Gracan. Sponsored by Councilman Macey.

6458-11. Certificate of Recognition honoring the 100th birthday of Bertha Launoea. Sponsored by Councilman Macey.

PRESIDENT BURN: Presentations/addresses. Quarterly address from Chief Executive Dan Onorato. We received a communication from the Chief Executive's Office that our Chief Executive had asked if we could amend the agenda to allow him to make one of his quarterly presentations, as is required. But he asks that he make it this evening, based on the time sensitivity of the issues with which he would like to discuss. So Mr. Executive, we amended the agenda. As always, welcome to the meeting of County Council. It's good to see you, sir.

CHIEF EXECUTIVE ONORATO: Thank you, Mr. President and members of Council. Before I get started, if I could hand this letter to the clerk to hand out to all of you. It's a letter from me to the present members of Council outlining what I'm going to talk about today. Today's letter really has two parts to it. The first part of the letter explains the impact of the state budget that was just passed and signed into law and how it affects our budget. The second half of my letter is how I recommend the actions that we're taking to fix the problem.

You should know that the state budget was passed and signed into law a little less than two weeks ago has brought a \$15,000,000 hole in our budget. I described and explained how it happens and how it affects us. If you look at the letter or just listen and go over the letter later, three line items from the state budget have been changed. Our annual law enforcement grant for \$7,500,000 has been zeroed out. Our grant for regional security, this is for police work at our promotional activities and some of the activities in our parks, a grant for \$1,500,000 has been zeroed out. Reduction in the Department of Human Service, particularly CYF. The state reduced their budget by 4.3 percent. That reduction translates into about a \$6,000,000 reduction to Allegheny County.

Those three line items, the \$7,500,000 law enforcement grant, the security grant of \$1,500,000 and \$6,000,000 reduction in child --- CYF totals \$15,000,000. As a result of the anticipated \$15,000,000 reduction in state funding, I have authorized the County Manager and the Director of Budget and Finance to immediately make the following adjustments, and there's four items I want to go

over with you that deal with the \$15,000,000. Number one, utilize the Hotel/Motel Tax Fund. Right now there is approximately \$5,700,000 in excess money sitting in this account. The excess money in this account, according to state law, can be used locally for tourism and promoting tourism. I will submit to the County Controller for review a detailed description to transfer \$5,000,000 of that \$5,700,000, over to cover our costs associated with tourism promotion, activities in our parks and different allowable expenditures.

Number two, the Transportation Fund, the Drink Tax Fund, still has \$5,100,000 of excess money sitting in there. Pursuant to state law and to the interpretation by a local judge, the money is allowed to be used for Port Authority-related expenditures. I will be submitting legislation to this Council in the next week or so, asking to increase the appropriation by \$5,000,000 and move \$5,000,000 over to the County to reimburse us for prior capital costs the County has given to the Port Authority.

Number three, the Department of Human Services. We are going to move \$2,500,000 of state grant and revenues that was available for activities relating to mental health and drug and alcohol activities in the jail, alternative housing, and make sure that county expenditures get reimbursed first before any outside agencies. \$2,500,000 will cover county expenditures.

And finally, in the budget that you all passed and I signed, we are scheduled to give \$22,700,000 to Community College. I have instructed the Budget Director and the County Manager to reduce that amount by \$2,500,000, in other words, give them \$2,500,000 less. Those four line items, \$5,000,000 of the Hotel/Motel Tax Fund, \$5,000,000 from the Transportation Fund, \$2,500,000 from the grant revenue and a \$2,500,000 reduction of money we're giving to the Community College, totals \$15,000,000.

The Hotel/Motel Tax requires a Controller review and approval. The Transportation Fund requires County Council's approval. The last two items can be done unilaterally by the County Executive within the purview of the budget. I have notified my Budget Director and my County Manager to take immediate action. And I'm going to be sending to you the legislation that is important here.

I wanted to come today, put in writing and explain the consequences of the state budget, but more importantly, the actions and adjustments that I believe we

should take as a county. It puts you on notice of what we'll be doing. This \$15,000,000 adjustment will allow our budget to remain balanced throughout 2011. And then anticipating for '12 and '13 the effects of the new state budget will be reflected in a presentation that I make at the proposed budget that comes out in October. But right now, today's announcement, today's discussion is really to explain what the state budget means to us, and more importantly, what actions we are taking to fill that \$15,000,000. And I wanted to put Council on notice and you'll hear directly from me. And I'll answer any questions you will have regarding this issue in front of you today.

PRESIDENT BURN: Thank you, Mr. Executive. Dan, before I open it up for questions, I have a couple myself.

CHIEF EXECUTIVE ONORATO: Go ahead.

PRESIDENT BURN: I think you anticipated one of them. With respect to the County adjustment of \$5,000,000, utilization of the Transportation Fund balance, you mentioned the Olson Decision. Do you believe that we're on --- to do what you're proposing to do, to introduce the legislation to us that you intend to introduce, do you believe that this legislation and this ask is within the parameters of the Olson Decision, and if so, why?

CHIEF EXECUTIVE ONORATO: Absolutely. It will also give you a legal opinion. But there's also even other ways to utilize the fund. We can do it for prior capital expenditure reimbursement or we could also use it for existing reimbursements of capital. But the main thing is that every dollar gets used for the Port Authority, that's what the Judge said, and transit-related activities. That's what we will be doing. And that's what the money was raised for. And that's why it was put into place. And we believe that there will be absolutely no legal issue there. And we'll leave about \$160,000 in that account and then, obviously, we collect it annually. So this would be a \$5,000,000 adjustment to our budget.

PRESIDENT BURN: With respect to the elimination of the county's law enforcement annual grant, the state funding reduction is \$7,500,000. You mentioned that this grant is a grant that offsets the cost of the narcotic, homicide and general investigative units in the County Police Department, which assists municipal police departments with investigations as well as crime lab

services provided by the Medical Examiner. I know there is a backlog. Hypothetically, Dan, if we're not able to plug this, what type of a consequence could the county anticipate as a result of losing that grant?

CHIEF EXECUTIVE ONORATO: Yeah. And a little history on this grant. This is an annual grant that goes back to my predecessor. It has fluctuated in the amount, but it's always been there. And the idea of this grant was that we're actually providing service to the state. The counties around us, they use the state's crime lab up in Greensburg. We don't. We have our own. So the state helped us fund ours because we have a big caseload compared to the other counties, and they don't have to handle them, so they helped us. They also recognize that we consolidated our 911, so we have help all the municipalities, so they gave us this law enforcement grant.

The fact that they zeroed it out really doesn't recognize what we've been doing in efficiency. So if we don't find a way to replace the \$7,500,000, you would have \$7,500,000 less available to our police department that assists municipal departments for our narcotics, homicide and general investigation unit and also our crime lab. You could argue, just shift it to the state, but the state doesn't have the capacity to handle the volume that we have, and you would have an instant backlog. If that would happen, the backlog would become a lot worse than it is right now. So that's why we've come up with a way to supposedly replenish the \$15,000,000 overall that our budget is taking so we can continue to provide good police work.

PRESIDENT BURN: And Dan, this is our last regularly scheduled meeting before we have our summer recess. You had indicated that you would be introducing legislation with respect to the proposed increase in the appropriation of the transportation funds. As far as the urgency of this, is time of the essence? We don't convene again until approximately the third week of August.

CHIEF EXECUTIVE ONORATO: We should be okay because it's really a matter of making these adjustments in this fiscal year, in 2011. So taking it up when you come back would be plenty of time.

PRESIDENT BURN: Thank you, sir. Those are all the questions I have. I'll open the floor to my

colleagues if any of my colleagues, any of our members have any questions for the Chief Executive. Ms. Danko?

MS. DANKO: I just want to be clear. The \$15,000,000, because they're on a different fiscal year than we're on, does that mean that if you took it out every year, it would be \$30,000,000? Or is this ---?

CHIEF EXECUTIVE ONORATO: Well, you are right. The state's budget is the fiscal year from --- starting on July 1st. Ours starts in January. We're on a calendar year. But because they're on the fiscal year, a lot of our funding overlaps our annual years. The \$15,000,000 --- for example, the \$2,500,000 that I'm proposing we don't give to CCAC, even though that \$22,000,000 is in our calendar year, our last payment is usually made to community college in January of next year. So there's overlap. What I was trying to do, the action that I'm proposing is that this will make 2011 whole, even though there's some timely differences in when the money gets released. So that timely difference exists all the time, so this is making the entire 2011 whole.

PRESIDENT BURN: Any other questions? Mr. Drozd?

MR. DROZD: Yeah. I really think you've done what you can in anticipation of this, Mr. Chief Executive. I just have some thoughts on --- this is short-term fix of a long-term problem, I would venture to guess; is that correct? Do you see this? And then have we seen any more cuts besides these cuts?

CHIEF EXECUTIVE ONORATO: Well, I think you bring up a very good point, and that is when I present a budget and you all decide to vote on a budget for next year, in order to start out by not having \$7,500,000 for the law enforcement grant, not having the \$1,500,000 from the special security grant --- and I guess we can all go on the assumption that the Department of Public Welfare, even if it remains flat, is going to be less than we historically are used to. So it will have long-term implication as we go forward.

MR. DROZD: Yeah. I think, you know, looking at --- I think, looking at this, too, we have to look at other ways we can help ourselves. I would venture to say about the Community College, as I've said before, they need to step up their fundraising program to make up that gap. We've got to help ourselves. Maybe we can go to some of the foundations for some of these areas, like, you

know, the children, youth and alcohol issues, you know, combating prices in Allegheny County. We've got to look at ways we can help ourselves. And you know, it's sad what's happening. I know you've done everything you can to look for cuts where you can. I anticipate this is even going to get worse, you know, from what we've seen and heard from the state and federal level. We haven't seen what's coming down from the federal side yet, so we better anticipate rather than being reactive. We've got to start being a little more proactive in our budget meetings and all that and look very hard into the future so we can help the people in the county. It's what we have ---. If resources are less and less to go around, then we've got to step up to the plate. Thank you.

CHIEF EXECUTIVE ONORATO: Thank you.

MR. DROZD: Thank you, Mr. President.

PRESIDENT BURN: Thank you, Mr. Drozd. Mr. Gastgeb?

MR. GASTGEB: Thank you, President Burn, and welcome, Dan. I compliment you for bringing this to us in a proactive manner. And just looking at it, it looks like we're doing what almost every other municipality, state in the nation is doing. It's trying to find some cuts, some savings, if you will, that make sense. I think what you're outlining at first blush looks that way. As Mr. Drozd said, we don't even know what the federal side is going to give us because that's an October cycle. We know the CDBG money from the federal government is \$3,000,000 lower. That's not in our budget, but still, I think it shows the state of what's going on across federal, state and local.

My question is, the \$15,000,000 gets us whole, as you indicated. However, when the County Controller came in through a deputy, he was making some assertions that the difference or the deficit is even greater. He was saying, for instance, on the tax lien sales, the anticipation that we have in revenue might only be half of what you've projected. So is \$15,000,000 a starting point? Do you see, maybe, some more ideas needed or do you feel the \$15,000,000 is where we need to be for the remainder of our calendar year?

CHIEF EXECUTIVE ONORATO: I should point out, you just reminded me, Councilman, I did brief the Controller today, earlier today. And if you notice in the letter, the Controller and the Treasurer are also CC'ed in

on this. So the Controller and I talked about the tax lien sale and the amount we have in our budget, which I think is \$12,000,000. And we are comfortable, and I think we have --- we're comfortable right now that we believe that we are going to hit at least the \$12,000,000 in the budget when we do it. So that should be on schedule, and I'm seeing it now, so we shouldn't have a problem there. I think this concerns early on the Budget Director and explained a little bit of how we're getting the \$12,000,000, and where it's shared against our numbers. It looks pretty good. So that should be okay.

But your point about the deficit --- well, I think, you know, it's very clear now, just from this letter alone, before we look at anything else, is that you're looking at a \$15,000,000 structural deficit on the budget we currently have. I came forward, sort of, with an adjustment to fix '11. Now, when I present a budget in October, I have to figure out how I present a budget to you and how we make up for that \$15,000,000 for 2012. So we start \$15,000,000 backwards, going into '12. And that's just with these three line items. We'll see as the year goes on if anything else is sort of out of balance on our budget.

MR. GASTGEB: Well, some of the things that might be out of balance, and you probably have been communicating like we have, the courts are basically stating they feel they're going to overshoot their budget by \$1,000,000, and the District Attorney has. So I'm just wondering, like, these things, if you start adding them up between now, July, through December, if we might not be in a position where, together, in collaboration we're looking for more than \$15,000,000, more plus the \$11,000,000 you mentioned, whatever we need to do. So I think it's a healthy start. It might not be the end, I guess. I'm not asking you to answer definitively, just generally.

CHIEF EXECUTIVE ONORATO: Yeah. Generally, the County Manager and Budget Director, one of the things they do for all of us is, they monitor all the departments. And as you pointed out, some of them are going to be over. And this happens every year. Some are over, some are under. The idea is that we monitor monthly so that the net effect of the overall budget, we come in on budget, knowing that these aren't our budgets, they're estimates, and you monitor the actual problems as you go forward so that you save in some areas, you're over in some of the

areas, but hopefully at the end of the day, you're balanced. And we'll be able to give quarterly reports and keep monitoring this. Then it gets better as the year goes on because you have more actual numbers to look at. So we're still hoping that this will allow us to have a 2011 balanced budget. And then, obviously, '12 we'll have to adjust.

MR. GASTGEB: Thank you, Dan.

PRESIDENT BURN: Mr. Drozd?

MR. DROZD: Yeah. I would venture to say, you know, this is like the tip of the iceberg and the Titanic going down. It strikes there because, you know, if we're listening to the President --- I believe it was on yesterday I listened to him --- and this has been resolved in the Congressional side, you know, resolved on the federal side. A repercussion effect is coming. You know, we've just seen one of the first go-around. And whatever the federal does now, and it's going to be a lot given, is what he said, from both sides, that's going to come down and hit us big time, come down to the state, and back down to us again. And the last thing is to be hearing from the Governor. He's saying he's going to do a lot more than the county. So yeah, this is only the tip of the iceberg, I would venture to say. I think you probably heard that, too, Mr. Chief Executive, if you heard the news. So we're going to have to look, look hard and anticipate, anticipate big time. Thank you, again, Mr. Chief Executive.

PRESIDENT BURN: Thank you, Councilman. Mr. Finnerty, you had a question?

MR. FINNERTY: Yes. And it's just a shame what happened with the state and their cutting our funds, when they had \$750,000,000 sitting up there that they didn't put out. You know, we look at the situation, and Mr. Onorato, I think you did a tremendous job here coming up with some money to balance our budget. But the situation that we're looking at, and I think everybody's looking at, the school districts, everyone, is a situation that's brought on by people that are saying, well, we don't have the funds, but we have \$750,000,000 sitting here that we're not going to use, and then in turn saying that --- and screaming that we're not going to raise revenue no matter what happens, no matter what happens. And what has happened is that we, the people around here, have the problems that we have.

And we have to do something. And our school districts are cutting people. Our school districts, some of them are raising taxes. But in Harrisburg, the motto is, we didn't raise taxes. Well, you didn't raise taxes. You pushed it down on us, and that's what we are facing today. Somebody has to eventually step up and say --- and that goes for the people in Allegheny County also, that we have to get more revenue to run a government. It has to be done eventually. And as we look at it, we're seeing 300 teachers being laid off here, cuts being done to our programs, our Chief Executive and the budget people going through and trying to dig up some money for necessary programs. I think, again, it comes down to --- we see people all the time speaking of cut spending, cut spending. Well, there's only so much that can be cut without affecting the people, and affecting them terribly, especially the people who need it the most. I would like, Mr. Onorato, that when you send this over, if you could show us somehow what programs would have to be eliminated if we didn't do this in relation to these movements of money so that we can have some idea of how it would affect our county if we didn't okay the movement of the funds. I would appreciate that.

CHIEF EXECUTIVE ONORATO: Okay.

MR. FINNERTY: Thank you.

PRESIDENT BURN: Does anybody have any other questions for the Chief Executive? Mr. Robinson?

MR. ROBINSON: Mr. President and members of Council, I thank the Chief Executive for being here. As a follow-up to Mr. Finnerty's concern about the impact, I'd just like to indicate that at previous meetings, I've indicated that the Budget and Finance Committee would be making arrangements for our Budget Director --- County Budget Director, Ms. Amy Griser, to come before our committee. She's scheduled to come before the committee on August 16th, which is a date prior to us having another full session. And she'll be providing us with an update on the 2011 expenditures and revenues and details on the anticipated impact the state budget cuts will have on our county. I would presume that she will go into some further detail than the Chief Executive is probably prepared to give to us this evening. But the Budget and Finance Committee anticipated that we would arrive at this point, and we would try to be very proactive.

So I would encourage members to adjust their schedules so they could be present on August 16th. Ms. Liptak has been working with Ms. Griser to make sure that that meeting will be informative and will add detail. And we hope in the future to do this each year relative to our budget. So I just wanted to share that. The Chief Executive was probably aware of Ms. Griser's anticipated meeting with us, and he certainly is welcome to join us on August 16th at the Budget and Finance Committee meeting. Thank you.

PRESIDENT BURN: Thank you, Chairman Robinson. Any other questions for the Chief Executive? No other questions? Dan, thank you for being with us.

CHIEF EXECUTIVE ONORATO: Thank you.

PRESIDENT BURN: Public comment on agenda items.

MR. CATANESE: We have none.

PRESIDENT BURN: Approval of minutes. 6459-11.

MR. CATANESE: Motion to approve the minutes of the June 21st, 2011 regular meeting of Council.

PRESIDENT BURN: Do we have a motion?

(Chorus of motions.)

(Chorus of seconds.)

PRESIDENT BURN: Moved, second. All those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT BURN: The minutes are approved. Presentation of appointments.

MR. CATANESE: 6411-11. Approving the appointment of Mary E. Gibson to serve as a member of the Human Relations Commission for a term to expire on December 31st, 2012. Sponsored by the Chief Executive.

PRESIDENT BURN: Mr. DeFazio?

MR. DEFAZIO: Yes. I'd like to make a motion to approve this.

MR. MACEY: Second.

PRESIDENT BURN: Moved, second. Any discussion?

MR. ELLENBOGEN: I have a comment I would like to make.

PRESIDENT BURN: Mr. Ellenbogen?

MR. ELLENBOGEN: I would ask Council to be mindful of the following. I will support this group of appointees that we're approving tonight, but I will not support any more appointments, with the exception of the possibility, which I doubt it, of no board having a quorum for the rest of this year. In January we will have a new

chief executive. The administration appointing appointments to boards that go as far as 2015, in my opinion, clearly infringes on the ability of the new chief executive to run the government and push it in the direction that he sees fit. So with that being said, I will ask the rest of Council to be mindful of that. But I don't think it's fair for the new chief executive to have the ability to change the county or do what they think is best infringed by these kinds of late appointments, although, like I said, I would support, the possibility of there being no quorum, to go along with this tonight. But I think we're at a point now, six months, we're not being fair to whoever the new chief is in January. Thank you, Mr. President.

PRESIDENT BURN: Duly noted. Mr. Macey, you had a remark?

MR. MACEY: Yeah. Thank you, Mr. President, members of Council, and thank you, Mr. Ellenbogen, for your comments. But we do have a committee process. These people have been researched. We've gone through their résumés. And these are quality people. And I believe that we're not disrespecting the new chief executive, whoever he may be. Thank you.

MR. ELLENBOGEN: Mr. President, may I respond?

PRESIDENT BURN: Yes, sir.

MR. ELLENBOGEN: With all due respect to you, Councilman Macey, these people are not found out by this Council. They are not appointees of us. They were appointed for confirmation by the Chief Executive. There's a difference there. These people who are appointed that were among our committee and we decided, that is a totally different thing. I said I'd go along with this tonight, but I think any further appointments clearly infringes on the new chief executive's authority. Thank you.

PRESIDENT BURN: Mr. Drozd?

MR. DROZD: Yeah. I want to bring something to light here. I attended the Pittsburgh City Council meeting today. And they were really very upset that their authority members or certain board members of a certain authority that aren't embodied by a lot of issues or a lot of things that they set in place, they aren't supporting. It was very contradictory. And they're really upset with them. And they kind of acted a lot that we believe, or some of us on Council really are starting to ask questions

of, are authorities serving the people or their constituency or are they just in there in the political process? I'm not saying this is the case here, not at all. But what I'm saying to you is that, you know, there's good people that are here. The Chief Executive has some good selections here. The only thing I'm saying is probably we need a mechanism, somewhere, someplace, somehow that we can pull an authority member off, a board member off an authority when necessarily they aren't doing --- that it's more obvious it's more of a political process. If you would have attended that meeting with me this morning, you would have saw --- you would have heard echoes and shades or whatever of what some of us are saying and a lot of concerns that they have. And just look at the tapes. I don't know if they can play that again. It's on record. But you really ought to listen and look at that. It was amazing just to hear that. Thank you for allowing me to present that.

PRESIDENT BURN: Thank you, Councilman. Is there any other discussion on the motion? Any other discussion on the motion that was moved and seconded? All those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT BURN: 6411-11 is approved. 6412-11.

MR. CATANESE: Approving the reappointment of Stephan A. Broadus to serve as a member of the Human Relations Commission for a term to expire December 31st, 2014. Sponsored by the Chief Executive.

PRESIDENT BURN: Is there a motion? Mr. DeFazio. I'm sorry.

MR. DEFAZIO: At this time I'd like to make a motion for this approval.

MR. MACEY: Second.

PRESIDENT BURN: Moved, second. Any discussion? All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT BURN: Opposed? 6412-11 is approved. 6413-11.

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

PRESIDENT BURN: Mr. DeFazio?

MR. DEFAZIO: At this time I'd like to make a motion to have this appointment approved.

MR. FINNERTY: Second.

PRESIDENT BURN: Moved, second. Any discussion?  
All those in favor signify by saying aye.

(Chorus of ayes).

PRESIDENT BURN: Opposed? 6413-11 is approved.  
6415-11.

MR. CATANESE: Approving the appointment of Anthony Ferraro to serve as a member of the Allegheny County Board of Health for a term to expire January 12, 2014. Sponsored by the Chief Executive.

PRESIDENT BURN: Mr. DeFazio?

MR. DEFAZIO: At this time I'd like to make a motion for this approval of this appointment.

MR. MACEY: Second.

PRESIDENT BURN: Moved, second. Any discussion?  
All those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT BURN: Opposed? 6415-11 is approved.  
6417-11.

MR. CATANESE: Approving the appointment of Council Member Amanda Green Hawkins to serve as a member of the Allegheny County Port Authority Board for a term to expire December 31st, 2015. Sponsored by the Chief Executive.

PRESIDENT BURN: Mr. DeFazio?

MR. DEFAZIO: At this time I'd like to make a motion for approval of this appointment.

MR. FINNERTY: Second.

PRESIDENT BURN: Moved, second. Any discussion?

MR. DROZD: Question. Councilman Martoni, is this in anticipation of your ---?

MR. MARTONI: I have left the board about three or four months ago.

MR. DROZD: Have you? I didn't know that. And secondly, I would say that just in future votes, even though it may not be a conflict of interest, I think whoever sits on these boards and these authorities that are on Council, sometimes they have to excuse themselves from the vote involving that authority. We have to look at that. Whether it's, you know, all right legally within the board, the question always comes up, is it ethical, is it right that they should be voting on issues in the county. We have to look at that, I think, any of us that ---. I'm not saying --- you know, just any Council

member here out for appointment or whatever, any of us have to look at that.

PRESIDENT BURN: Thank you. Yes. And before Mr. Macey --- I know that Dr. Martoni, even myself when I first came on this body the first six months, I was on the board down there as well. So you have to be very cognizant of what might be going on in the authority with respect to what your duties are here. I think we've done due diligence in that regard. I know that oftentimes Doc and myself and others who've had a couple of different things going at the same time have relied on the professionalism of our Solicitor to make sure what we say, or rather, don't say the right or wrong things, but it's something that we need to remain cognizant of. Mr. Macey?

MR. MACEY: Thank you, Mr. President and members of Council. And I agree with Councilman Drozd. I think it's essential that we be very careful of what we're doing. But on the other hand, I think it's also very important that we have some representation on these authorities and different boards so that we have an inside look at what's going on and we can bring that information back to Council and share that experience. Thank you.

PRESIDENT BURN: Thank you.

MR. DROZD: I concur on that. I think we do have to have more insight on the boards and it's really good that someone's going to take some extra time from Council to bring the information to us. I concur on that.

PRESIDENT BURN: Amanda will be a most welcome member of this body on that authority's board. Any other discussion on the motion? Any other discussion? All those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT BURN: 6417-11 is approved. 6419-11.

MR. CATANESE: Approving the appointment of Paul D'Alessandro to serve as a member of the Allegheny County Housing Authority for a term to expire December 31st, 2014. Sponsored by the Chief Executive.

PRESIDENT BURN: Mr. DeFazio?

MR. DEFAZIO: Yes. At this time I'd like to make a motion for the approval of this appointment.

MR. FINNERTY: Second.

PRESIDENT BURN: Moved, second. Any discussion? All those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT BURN: Opposed? 6419-11 is approved.  
6423-11.

MR. CATANESE: Approving the appointment of Michael A. Polite to serve as a member of the following authorities: the Allegheny County Industrial Development Authority, the Allegheny County Hospital Development Authority, the Allegheny County Higher Education Building Authority and the Allegheny County Residential Finance Authority for a term to expire December 31st, 2015. Sponsored by the Chief Executive.

PRESIDENT BURN: Mr. DeFazio?

MR. DEFAZIO: At this time I'd like to make a motion for the approval of this appointment.

MR. MACEY: Second.

PRESIDENT BURN: Moved, second. Any discussion? All those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT BURN: Opposed? 6423-11 is approved. Liaison reports. Any liaison reports? Mr. Macey?

MR. MACEY: Thank you, Mr. President and members of Council. As liaison to the Airport Authority, I'd like to let everybody know that Delta Airlines will continue nonstop service between Pittsburgh International Airport and Charles De Gaulle International Airport next year after a pause during the winter months. The flights will continue through October 28 and return in March, suspended for the winter when demand for travel is slow. Delta launched the flight in June of 2009, backed by \$9,000,000 in subsidies from the Allegheny Conference on Community Development and the state. Through Delta's agreement with the state and Allegheny Conference on Community Development, it allowed it to drop the Paris flight in June when the potential subsidies ended. The airline announced in November that it would extend its service at least through August. The flight also expanded from four to seven days a week beginning June 1st. I think the Delta flights are very essential to keep our connection with Europe and the corporations that are housed here in Allegheny County. Thank you.

PRESIDENT BURN: Thank you, Council Member Macey. I would just like to make a brief remark. About a month or so ago, we had Mr. Hillgrove and we gave Bill Hillgrove a proclamation. We made it Bill Hillgrove Day in Allegheny County. Bill Hillgrove, a resident of Garfield, was joined by his family and his friends, many

with whom he grew up with in Garfield, including my parents. It was a very good day. Bill Hillgrove, also an alumni of Central Catholic High School, I had his picture put in the Central Catholic Alumni Yearbook along with many of the folks with whom he stood that day for the proclamation, including myself, a North Catholic Alumni. So needless to say, for the last two months, the abuse from both North and Central alumni to myself has been relentless and nonstop. But again, congratulations to Bill Hillgrove. Anything else under liaison reports? New business, ordinances and resolutions. 6460-11.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing Division One of the Allegheny County Code of Ordinances entitled Administrative Code, Article 801 entitled Comprehensive Fiscal Plan in order to define the abandonment of capital projects and establish limits on certain capital budget appropriations. Sponsored by Council Members Gastgeb, Kress and Drozd.

PRESIDENT BURN: Before this bill is referred to the Committee on Government Reform, Mr. Gastgeb, would you like to comment?

MR. GASTGEB: Thank you, President Burn. Just briefly before it goes into committee. In looking for, I think, this Council, as a co-equal branch of this government and to better define this body, one of the things regarding our parks that's listed in the Allegheny County Code of Ordinances is the word abandoned. What that means by appropriation standards right now is that the word abandoned is not defined. So if you make an appropriation in the year 2001, 2002, like many of us have, that abandonment could go on to 2050 or 2100. It could be 100 years. There's no definition to it. I think we would be better served if we had a better definition. And by so, this legislation has a three-year window of enactment for this quote abandonment, but it also recognizes projects, which is part two by line item. So there will be no absent of identifying language of any project over \$100,000. By doing so, I think it makes this body much more relevant to any big projects that would be in place for our county parks and it really takes no purview away from the executive or the administration either. So I'll look forward to discussing this in committee. Thank you.

PRESIDENT BURN: Thank you. Mr. Robinson?

MR. ROBINSON: Thank you, Mr. President and members of Council. I'd like to be listed as co-sponsor of this bill.

PRESIDENT BURN: Please add Councilman Robinson as a co-sponsor. Please add Councilwoman Rea. The bill will be referred to the Committee on Government Reform, where it will be given its due diligence. New business, motions.

MR. DROZD: I have one that I'd like to introduce on the floor, Mr. President.

PRESIDENT BURN: Yes, sir, Mr. Drozd. We will await receipt of all members of your proposed motion now and comment on it. Mr. Drozd, you have the floor.

MR. DROZD: Thank you, sir. This is very critical and very timely. You see on the news this has been anticipated by a lot of my constituents and I'm sure you've heard it. They're very concerned about the fact that they have Highmark. And UPMC now says they are going to accept Highmark --- they're looking at not accepting Highmark, I should say, and they're anticipating on cutting the contracts/the agreements. On the one hand you have one of the largest providers in the region, UPMC, not only in our county but throughout the region, one of the largest providers, who also happens to be one of the largest insurers within the region, and they now say that they aren't going to accept --- they may not accept. They're going to look at not accepting.

Now, we had a committee meeting, and I don't know --- those of you that attended --- I think Councilman DeFazio was in that meeting with me when I had West Penn. And we talked about the fact of closing Braddock Hospital. And whether this decision was right or wrong or wherever the costs were, it was UPMC that now said they're going to Monroeville. I asked West Penn what was their bedding capacity within that hospital, what was their capacity within that hospital. They said the bed usage was approximately about, I don't know, 70 percent plus or minus. That's not a lot. I said, well, then why would UPMC be going to Monroeville when we have needs in other parts of the region and the county? Did you ever talk to one another? The comment came back, no. I said, then what are we here for? Are you here for profit or are you here to serve the people of Allegheny County and the region as a whole and the constituents, our constituents?

Now we hear this. We hear that they're going to drop it or talking about the possibility of dropping it. This is unacceptable to the people of this region and this county and their own people that they provide here. It's not right. Let me tell you one thing. We just talked about the Kanes tonight. Who here is to say --- if someone gets sick at the Kanes, everywhere you walk, in the back door, there will be a UPMC facility. Who's here to say when they go there and maybe one of your family members, let alone the constituents out there or our constituents, but one of their family members, they go and they find out that they now incur a bill for \$100,000 for procedures that they so urgently needed? Are they going to ask the question when the golden hour comes --- who knows what the golden hour is? One hour, maybe less than that if you have a heart or something every critical that happens to you or your family member or your loved one, one hour or less. Are you going to ask, wait a minute, do they accept my insurance? Are you? Should you have to ask that? Should anyone have to ask that? I say that any caregiver, any facility, any provider, not only in this region, this county and this country should accept any insurance as long as they meet whatever their requirements are. And Highmark, as far as I know, meets the requirements.

This is unacceptable. The state said they cannot do anything. They can only ask. We can't do anything. We can only ask. It's time that we ask on behalf of 1,300,000 people out there that they do the right thing, UPMC, and they accept that insurance. Get it done now. Don't wait for a year, even though the contract may be up for a year. The state might be able to extend it for six months. Why should anybody in our county, in our region, in our state and our country sit there with the anxiety thinking that their insurance is not going to be accepted by anyone? Why?

Secondly, let me point this out. If you eliminate Highmark from UPMC, you eliminate competition. What's our most rising cost in this country, in this county, in this region? Healthcare. It's going to expand and extend into an escalation that you never saw before. So I'd like to bring this up for a vote tonight. Maybe you care to amend it in any one of the areas. Fine with me. It's time we say something on behalf of our constituents, the ones that asked me and I'm sure some of

them asked you, say something, do something. Unfortunately, we can't do it. We cannot direct. We can't put it into law. But at least we can say do it now and get it done, fix what's broken and make it right for the people of Allegheny County, the region, the state and the country as a whole. Thank you, my fellow Council members. I'd like to put that motion up to bring this to a vote tonight here and now.

PRESIDENT BURN: Motion.

MR. ROBINSON: Second.

PRESIDENT BURN: There's the second. Before I invite discussion on the motion, Mr. Drozd, let me just invite a suggestion or let me offer a suggestion to you. Your comments are well-placed and your concern is definitely well-placed. I think all of us here share the concerns that we want what is best for all the residents in Allegheny County and all those who benefit from any arrangement between UPMC and Highmark. We want what's best for those who are within the parameters of any of these plans, that is, healthcare they can afford for their family and themselves.

The concern I have, with all due respect to this well-intended motion, is if we start to weigh in on contractual disputes between entities that are separate and estranged from the county, we may be putting ourselves on the precipice of the situation where soon enough any and all entities, irrespective of their arrangements, may be inviting us to weigh in on their contractual disputes. I think if the common denominator that we all have here is to urge both sides to come to some type of an understanding that is in the best interest of all those who benefit from what they have to offer, we may be best served as a body by writing both sides a letter urging them to do what is in the best interest of all involved in this very important situation. So I would throw that out to you, sir, that we can discuss the motion, we can debate the motion, but where and whether we'll have the unanimous support that it needs to make a motion like this most effective, or I think we can all agree that a letter from this body urging them to do what's right for all involved including themselves and our residents might be a better way to proceed. So I'll just throw that to you for your consideration before I invite the floor weigh in on your motion.

MR. DROZD: Normally I would agree, but this is critical. It affects those people, those constituents that we serve. And it affects those people that are out in trenches, people in low-income communities. It involves those people that maybe aren't in low-income communities. I think a strong message has to be sent to UPMC in this case. I think this should not only go to the state. It should go to the chief executives of those, too. This is only echoing that message and those people out there and our people that really want this done. And they've asked me, my constituents, to say something, and if I don't say something here and now, I feel I'd be not hearing them. I think it's time UPMC heard it. And they will get it strong and clear. This is a message that they need to hear.

PRESIDENT BURN: Let me ask a question. I think Mr. Drozd had asked for a motion to waive, but I think the appropriate motion would be asking for the motion to approve this and then a motion to waive. How do we need to proceed here?

MR. FLYNN: It has to be placed on the agenda first. There has to be a motion to place it on the agenda. Then once that would be approved, then there would be discussion on the motion.

PRESIDENT BURN: So the remarks so far have been introductory remarks. The bill has not been placed on the agenda yet. Is there a motion to place this bill on the agenda?

MR. DROZD: I'd like to make a motion to place it on the agenda.

MR. ROBINSON: Second.

PRESIDENT BURN: Any discussion on the motion to place it on the agenda? Mr. Gastgeb, just to place it on the agenda?

MR. GASTGEB: Specific to that, I'd like to know for my vote to place it on the agenda --- I know we passed other Council motions from the state. We had listed Governor or --- we know where the sense of Council was going by way of the delivery. When we do it with a private company, do we have a protocol as to where this goes if we pass it?

PRESIDENT BURN: Well, to their lawyers or to their directors.

MR. GASTGEB: That's really important because it doesn't even go to the right people then. Do we have a

protocol? Do we know if there's ten people that receive this, one person, ten departments?

PRESIDENT BURN: Councilwoman Rea?

MS. REA: I'd just like to make a few comments about it. The issue I might have with it is it seems like it singled out people ---.

PRESIDENT BURN: Well, Councilwoman, if I could make a point right now, right now the only issue is whether I need to put it on the agenda to have that conversation. So let's stick to that for now. Do we even want to put this on the agenda tonight?

MS. REA: Well, that's where I was going.

PRESIDENT BURN: I'm sorry.

MS. REA: Where I was going is it might be a problem for me because there really is a negotiation between Highmark and UPMC, and all it states in here is really Highmark, whatever the amount of money they made or the amount of money they have. But it doesn't --- to me it's not clear as to --- there's an issue with what Highmark wants and what UPMC isn't willing to give or whatever. There are two sides in this and I don't think those two sides are clear. I guess that's my point with this motion.

PRESIDENT BURN: That's a good point. Mr. DeFazio and then Mr. Finnerty.

MR. DEFAZIO: Well, let me ask a question. In front of me, it says expressing the sense of Council. This is a motion. All this is is a motion. We don't have to go through --- I mean, it's just a motion. We can pass the motion. I mean, it's a good cause. Look, we want to see this thing settled. I don't think everyone here knows all the particulars, but we all know we'd like to see it settled. But the thing is, all this is is a sense of Council. We can vote on this right now. I don't see --- talking about resolutions. This is sense of Council. It's a good thing. I mean, we want to see it settled. I think everyone wants to see it settled.

PRESIDENT BURN: Mr. Finnerty, followed by Mr. Gastgeb. Sorry about that, Councilman Finnerty.

MR. FINNERTY: What exactly are we doing here? Are we talking about waiving it to put it on?

PRESIDENT BURN: Yes. The only discussion right now is whether we put it on the agenda to talk about it, and we're talking about it. It was moved and seconded.

All in favor of putting it on the agenda signify by saying aye.

MR. DEFAZIO: Point of order before you vote. You don't have to do that if all it is is sense of Council. It's no bill. It's no ordinance.

PRESIDENT BURN: Mr. DeFazio, it's not on the agenda at all.

MR. DEFAZIO: But there's a motion. He passed this out. We have it.

PRESIDENT BURN: The parliamentarian instructed me to ask for a motion to put it on the agenda, so I'm following his directives. I understand your point, John, but let's just do it. Motion to put it on the agenda. All those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT BURN: Opposed? It's on the agenda. Anything else want to talk about?

MR. FINNERTY: Now can I talk about it? I think it's extremely important that UPMC and Highmark come to an agreement in regard to insuring people. I think that's important. It's also extremely important, as the President of Council mentioned, that we don't enter into being an adversary, an antagonist in negotiations over something. And I don't think --- I think this enters into it. I think the way it was spoken to tonight is antagonistic. I think that's extremely important that that's not what we do, that we might send them a letter requesting that we believe the best interests of the people of Allegheny County and Western Pennsylvania is that they come to an agreement. Because you have to realize, first of all, Highmark is an insurer. That's what they do. I don't know how this is going to affect us later on, but Highmark is an insurer that pays property tax. UPMC is an insurer and runs hospitals. They don't pay property tax. So these are things that you have to think about in this also. And I just point that out right now because Highmark is taking over West Penn as this is going on. And I think it's extremely important that they come to an agreement, but I also don't want to move on something that's going to aggravate people in a negotiation situation. I think everybody knows it's important for them to come to an agreement. I know it's important. Thank you.

PRESIDENT BURN: Thank you, Councilman. Mr. Drozd? We're going to have Mr. Drozd ---.

MR. DROZD: I'll let them go.

PRESIDENT BURN: Thank you. Mr. Gastgeb, followed by Mr. Ellenbogen and then Mr. Drozd.

MR. GASTGEB: The reason why I asked where this goes is because if we want to send a strong message, we have to know where this should go. And if it's not going to go to the appropriate person, then we're not going to accomplish anything more than rhetoric. Jennifer and Jared motioned to me that in this situation, it would go to the CEOs of, I guess, both organizations, which I guess makes the most sense. But it also takes me back to what Mr. Burn said about five minutes ago. We can write a letter to both CEOs and probably say the same thing. So I don't know what the better way to get our word is.

I totally agree with Mr. Drozd on this and everybody else who spoke. We certainly don't want this to be this way. We want to have best for our residents, but how to do it? Do you do it publicly or do you do it privately? I'd be willing to sign onto a well-worded letter myself to support Mr. Drozd, but what Mr. Finnerty is saying does have some merit, too, about us just weighing in whatever the issue of the day is. It seems like we've been doing it for the last couple months here. Thanks.

PRESIDENT BURN: Mr. Ellenbogen, followed by Mr. Drozd.

MR. ELLENBOGEN: I think what Councilman Finnerty is saying carries a lot of merit. I, too, like probably almost everyone in the room, is going to be affected by this. But it does come off a little bit like we're going after somebody or we're sounding antagonistic. Councilman Gastgeb makes a lot of sense in saying we don't even know where this letter is going. We just talk to hear ourselves talk. My thoughts on this is I go back in my mind to what Councilman Martoni says all the time. Why don't we talk to somebody? Why don't we ask them if they'd be willing to sit down and talk to us as a group before we start shooting our mouth off? Because I'll be totally honest with you. I know the overall what's going on here, but I'm not privy to the complete logistics of what we might say or not say that, like Mike said, might be antagonistic. I mean, does anyone in this room really know, you know, what negotiations and how much has been public? So like I said, to quote Councilman Martoni, maybe it may be a good idea to ask them if they'd be

willing to talk to us, because many of our constituents are very concerned about this, and it's easier to talk to 15 of us than 1,300,000 of them. It is just a thought I wanted to put out there. Thank you.

PRESIDENT BURN: Thank you. Before I go to Mr. Drozd, if the motion does go down tonight, I don't think we lose sight of Matt's well-intentioned idea, and I can assure my colleagues that a well and properly-worded letter will go irrespective of the outcome.

MR. FLYNN: Is that a motion?

PRESIDENT BURN: No. I'm just making a little remark before I give the floor back to Mr. Drozd. I would like to also say, again, I think we all agree we have to go in a direction here, but we want to go in a direction that isn't misunderstood or misinterpreting or taking sides or misinterpreted of this Council taking an antagonistic or protagonist position with respect to either side of the issue. Mr. DeFazio and then Mr. Drozd.

MR. DEFAZIO: I think Matt Drozd is in agreement, but maybe he'll speak for himself. I think what we ought to do is put this in committee and try to get people from Highmark and people from UPMC to see if we can talk to them before we really do too much. I think Matt will speak on this. I'm not going to say too much more. I just talked to him for a little bit.

PRESIDENT BURN: Very good. Thank you. Mr. Drozd?

MR. DROZD: When you talked about being antagonized or whatever it may be, our constituents believe me when I tell you this. They are antagonized. They have a lot of anxiety. They have a lot of fears. And that hasn't been done on the part of Highmark. I'm not taking sides or pointing to either one of the two sides. But it's UPMC that's saying, I'm not going to accept it. And I'm going to tell you here and now you know that a good percentage of our population here in Allegheny County, in our region and our state is covered by Highmark. And again, UPMC does both. They not only provide the care, they provide the insurance. That, to me, says something in itself, that they benefit if they can eliminate Highmark from their facilities. That's what they do. They benefit. Who benefits the most here? It's UPMC. They eliminate Highmark from their facilities of being able to accept their insurance, what do you think it

does? People, it's going to drive you --- they're going to actually drive to go get UPMC insurance.

Now, again, I'm not taking sides. I'm not saying UPMC is doing anything improper, not at all. This is what we're doing here, is something that bothers me now more than anything. What bothers me here more than anything is that we're losing --- not us. They're losing sight of who they're serving. This is supposed to be about non-profit. They have all these footprints throughout Allegheny County that we exempt because they're non-profit from taxation. And the people of this county have to bear the cost. They don't. They don't. The people of this county have to bear the cost that they don't pay for, and yet they're saying, on the other hand, too bad. We're going to disenfranchise a lot of you right here and now. That's what they're saying when they send this message.

Now, whether there's a negotiation here on the part of whoever, I don't know. All I know is any insurance that's a valid insurance should be accepted by any provider in this country. I come from the healthcare side. I hate to think that someone would have to question about themselves or their loved one. You had the situation, don't tell me none of you have had it, where you have to decide where you're going to send your loved one because of insurance coverage. You have to go quick. You have to go fast sometimes because if you don't, you lose your loved one very quickly. So I'm not pointing a finger at anybody. I'm not saying who's at fault here. All I'm saying is this is a big, big concern to the people of Allegheny County, the region, the state and the country, and not only in this case, in other cases. So I'm willing to send that letter. If we send that letter here and now, I want this to go into committee. I'm willing to do that. I want that there, that hammer there, that we have to look at. That letter should go quick. It should go to the chief executives of both these organizations to say, in essence, let's get it done. If we invite these people, I, here and now, say this to Mr. Federoff --- is that who he is, the chief executive of UPMC?

PRESIDENT BURN: Yes.

MR. DROZD: And who's the gentleman at Highmark? The lady, whoever it may be. They should come here and now before this committee and be heard. And the people of

Allegheny County and this region and this state should hear their voices and hear what their intentions are here and what they're going to do to help the people of Allegheny County, not themselves, not their organizations, not their --- whatever it may be in the media anymore, looking at for-profit, rather than what I'm seeing here, is to serve the people of this great county, country and state and whatever. So let them come before us. You know, that happened one time, and I urge ---. There was a gentleman that was a CEO of a major corporation here. And I urged him, I challenged him to come before a committee. And he came, I give him credit, and he answered the mill. Whatever hurt or however much it hurt or whatever, he answered the mill. And I think the chief executives of these --- they come. They come.

We talked about this healthcare summit; remember? I talked about it before. It's time. We've got to see how these people are being served, not only in this case, but where those hospitals are going, where those facilities are going and what are they doing to mitigate the damages from health hurt? What are they doing to mitigate it? What are they doing to protect your loved ones, our loved ones, everyone in this region? I want to know that. I want to see that because do you know what? That's what I did. When I was on active duty, we had to mitigate the damages. We had to get that golden hour as quick as you can, and that's what we thought at first. We didn't think about whatever, whatever. That's who counts, the patients you're trying to serve. So if that never goes forth, it's fine with me. And if this goes into committee, it's fine with me.

PRESIDENT BURN: Well, what do you want?

MR. DROZD: Yeah. And I want the letter to include to invite them to the meeting. Let's set a meeting date. Invite them to the meeting, the chief executive officers of those two organizations to come to this meeting. You know, we ought to invite not only them in this case. We need to invite the president, who I met --- we met. I went to that reception one time at West Penn. And what they told me at West Penn they're starting a health, you know --- and I don't want to get sidetracked, because we're talking about this. But just to show you what they're doing, they're starting a medical facility to have people stay here.

So anyhow, I think, yeah, let's invite them to a meeting. Let's do it. Let's send the letter, put this into committee, and then we'll see where it goes. And again, I'm not faulting anybody. I'm not pointing a finger at anyone. UPMC is a great organization. They are. Like Highmark. They're both great organizations. They employ our people, and I really respect them for that. But I don't want them to get all sidetracked of who they're here to serve, and I hope to think they're not. And I would venture to say I don't think --- I hope to think they're not. I'll give them that benefit.

The way this reads, a lot of people are going to be disenfranchised if this comes down, a lot of people. In fact, I would venture, how many of you here, without putting your hand up, and your families are insured by Highmark? Think of that one. You have the worry about where you're going to go. Are we going to get coverage or do you have deep enough pockets? You may go to that facility that isn't covered by insurance. Do you have deep enough pockets to cover that? Or do you have to stop and think about it, or you and your loved one may die very quickly. Thank you very much.

PRESIDENT BURN: Thank you. Did Mr. Martoni and Mr. Palmiere have anything they wanted to say?

MR. MARTONI: Yeah, we both did.

PRESIDENT BURN: Mr. Martoni, Mr. Palmiere.

MR. MARTONI: I agree with Matt. We should invite them in. We should maybe have a night like a healthcare summit. We're real serious about this, and I think we should start talking to them rather than just mail something out that they'll just put in some file somewhere. Okay?

PRESIDENT BURN: Yes, sir. We'll do both. Thank you. Mr. Palmiere?

MR. PALMIERE: Thank you, Mr. President. I just wanted to reiterate. I would like --- as Chairman of Health and Human Services, I would like to invite ---. You know, providing everyone's in agreement, I'd like to invite the members of the parties to come to a meeting, to a committee meeting and, you know, discuss the issues. I'd be more than happy to do that.

PRESIDENT BURN: You anticipated where I was going to send this. Any other comments? Mr. Kress?

MR. KRESS: Yeah. I just wanted to say --- I mean, being on County Council, we're just trying to be

effective. And what we're looking at --- and maybe this is something we cannot do anything about. And the thing is, if there's anything we can do as a body to try to bring both parties together, that's great. Okay. But we have to also be effective in what we do. We don't want to just pass motions that don't mean anything, either. And I think sending that letter out sends the message that we care about this. And also to our constituents, too. I mean, I've been reading letters to the editor. I want them to know that we care. But I also want them to know that we may not be able to do anything about this. But we'd like to see both parties eventually negotiate some type of contract. And we do care, but I don't know what we actually can do. So thank you.

PRESIDENT BURN: Mr. DeFazio, followed by Mr. Finnerty.

MR. DEFAZIO: Well, we can't legally make them do hardly anything, but if we invite both groups --- and just take, for example, Highmark won't show up on the same --- and UPMC doesn't want to be bothered. It gives a bad --- I mean, they're going to get a black eye out of this. It couldn't hurt them, you know. So I think we can get some press out of this, too. We should. We're trying to get these people together because it affects a lot of people. So if one of them don't want to show up, it doesn't look too good if people don't want to show up. Thank you.

PRESIDENT BURN: Mr. Finnerty.

MR. FINNERTY: Thank you, Mr. President. I'd just like to make one comment. Just think, if we had universal healthcare, we wouldn't be sitting around here talking about this, because that's what we really need in the United States.

PRESIDENT BURN: This bill, any other comments?

MR. MARTONI: Just one more real quickly.

PRESIDENT BURN: Yes. Dr. Martoni.

MR. MARTONI: Just keep in mind that these are non-profit groups. Okay? And if for any reason they're going to hurt the public, maybe we ought to have a statewide campaign and check into ---.

MR. FINNERTY: Highmark.

MR. MARTONI: Well, all the non-profits. Okay? If they want to act like they're profits, maybe we ought to talk about that and they'll say something, too.

PRESIDENT BURN: Inviting them in to have a conversation with a legislative body was described oftentimes by many of us, including yourself, Doc, as the Citizens' Council. I think is an appropriate way to go, and we will refer this motion, Mr. Drozd, to Chairman Palmiere's Committee on Health and Human Services. We'll begin this conversation. The letter will be out by the end of the week. So thank you all. Mr. Martoni?

MR. MARTONI: Just one more comment. I want to thank Mr. Drozd for bringing this in today. This is a very serious issue. Thank you.

PRESIDENT BURN: Thank you again. Notification of contracts.

MR. CATANESE: None.

PRESIDENT BURN: Public comment on general items.

MR. CATANESE: We have one.

PRESIDENT BURN: Mr. Rusty Loudermilk. Sir, you've been here before. Please come up to the podium, introduce yourself, name and address. And as you know from being here in the past, you will be given three minutes to speak to the Council. Good evening, Mr. Loudermilk.

MR. LOUDERMILK: Sure. Thanks a lot, Jim. My name is Rusty Loudermilk, 1103 Parkway Drive, Cheswick, PA, 15024. Basically, as many of you know, I've been here a bunch of times, this latest issue concerning Access Transportation and a carrier that Access Transportation contracts with called Northern Area Metropolitan Service, which handles the Cheswick/Springdale/Harmar areas, has been to my home on a number of occasions and verbally told myself and my girlfriend --- and I'm going to clean it up for you guys. And I would ask that if I go a little bit past the three minutes, please beg my indulgence. I'm going to tell you why. He basically said, and I quote, if you don't get on this damn lift, we're going to leave your ass. Well, subsequent to that I have contacted Access Transportation, Access, because of issues that I told to Dr. Martoni in the past regarding inappropriate conduct by Access. Access doesn't like me. I don't like them. I don't like Karen Hoesch that runs Access.

But the fact of the matter is, in this case, this is a contractor of Access. This contractor would not be able to operate without the express written consent of Access. And of course, Access could not operate without

consent of the Port Authority. So to make a long story short, when Access doesn't do anything, I contact the Port Authority. So when the Port Authority says, well, we sent them all a notice saying that under the ADA, Americans with Disabilities Act, yourself or any other wheelchair individual can board a wheelchair lift any way they choose, and so we sent it to them and everybody else. Thank you and goodbye. Two days later, I have the same problem with the same carrier. I call up Access and the Port Authority that time. They say the same thing. It won't happen again. We're sorry.

Approximately, give or take a few days, two weeks later, I have the same problem. Okay? I then go to Port Authority, and a lady who is in charge of --- I mean, who is in the Government Affairs Department of the Port Authority. Her name is Darcy Cleaver. Darcy sends me an e-mail after talking to Access, telling me, do not come to us. Go to Access. Well, ladies and gentlemen, I promised Mr. Macey here before we started that I wasn't here to beat you guys up. But I just got to tell you this. The Port Authority couldn't operate without your assistance, and Access couldn't operate without the Port Authority's assistance.

I need somebody to stop passing the buck, because here's the deal. If I could get results from contacting Karen Hoesch and the rest of the folks at Access, why would I be coming down here so much? And most of you guys have seen me for four years, and I don't think I've talked about one other thing except Access every time I come down here. So if you guys don't believe what I'm saying because they're lying to you behind my back and they're not telling you anything, I would welcome a private meeting with any of you, whether you're Republican, Democrat, black, white, male, female, gay, straight. I don't care.

But the bottom line is somebody needs to look into the Access program as a whole and redo some stuff so that somebody at Access will then, in turn, make the carriers understand you cannot operate unless we give you money. And to Mr. Drozd's point about the hospitals, it's sort of the same thing. You guys are giving the hospitals money, and then the hospitals are coming and saying, pooh, pooh, we don't have to abide by what you're saying. Okay. Jim, I'm sorry. Well, that's basically what I'm saying. Access is getting the money, but they don't want to make

the actual carriers who do the trips act right. I need some help. I'm not here to beat you guys up. And that's all I got to say. Thank you, Mr. President, for allowing me to run on, and I apologize.

PRESIDENT BURN: Good to see you again, my friend.

MR. LOUDERMILK: Thank you.

PRESIDENT BURN: All right. If anybody has any questions for us, they can do it --- have those conversations after the meeting. Talk to Rusty after the meeting.

MR. DROZD: Not him, not him.

PRESIDENT BURN: Okay. Mr. Drozd?

MR. DROZD: Real quick, then I'll let it go. But I wanted here --- everyone to know that the chief executive officers of these two fine organizations, UPMC and Highmark, I'm sure, are very good people. And I'd like them to come forth and try to give us a little more vision on what their plans are for this region and this county and this state. And I want to give everyone the benefit of the doubt. These are two good employers within our region, and I want to see and hopefully we'll come out with some answers, most importantly, to help the people of this county and region and state. Thank you.

PRESIDENT BURN: Thank you. Motion to adjourn?

MR. KRESS: Motion to adjourn.

MR. DEFAZIO: Second.

PRESIDENT BURN: Moved, second. All those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT BURN: Meeting adjourned. Have a great summer break, everyone. See you in August.

MEETING ADJOURNED AT 6:35 P.M.

CERTIFICATE

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

Handwritten signature of Kayle Gosh in cursive script, written over a horizontal line.