

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, August 21, 2012 - 5:00 p.m.

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

IN ATTENDANCE:

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

PRESIDENT MARTONI: The August 21st meeting of Allegheny County meeting will now come to order. Please rise for the Pledge of Allegiance read by Joanna Lochran. Joanna. And please remain standing for a moment after the Pledge for a moment of silent prayer.

(Pledge of Allegiance.)

(Moment of silent prayer.)

PRESIDENT MARTONI: 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.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Present.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Here.

MR. CATANESE: Mr. Macey?

MR. MACEY: Present.

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: Proclamations/Certificates,

7082-12.

MR. CATANESE: A Proclamation honoring the 2012 Annie cast members of the Pittsburgh Civic Light Opera, CLO, Academy of Musical Theatre. Sponsored by Councilwoman Danko.

MS. DANKO: I want to invite up Joanna Lochran and her mom and her sister. We have Tara, her sister, and her mom, Tricia, and we have a couple other people here representing the CLO. This is so great. There's a couple reasons I wanted to do this proclamation. You know, I many, many times we recognize excellence in sports, but there are lots of ways for children and young people to excel. And when they find their passion, something that's unique to an individual, no matter what that passion is, I think it's really important for us to recognize it, whether it's sports, dance, writing, chess, marbles, speaking out, art, all those things. And you know, I know Joanna from my parish which is St. Bede's and you know, you've heard over the years people talking about many of the unique gifts that people are given and clearly, this is a unique gift that Joanna has. I'd also be remiss if I didn't say I'm a little bit jealous of Joanna's talent. This is sort of like Drozd talking about all his various interests.

But I used to --- I took for those of you who don't know, years and years of dance and I was in many shows growing up, but I never --- I can't sing at all, so I could never have gone on and done something that she's done. And, you know, clearly the reviews said that you knocked it out of the park. So I think it's just terrific. And I also wanted to commend you, not just for your success in being Annie this summer, but for recognizing the contributions of the other students so eloquently in articles that were in the newspaper. I think that was really, really great. Through this proclamation we're not just honoring Joanna, but all of the cast from CLO this summer will be getting a proclamation as well. So I guess I have to read the proclamation; right?

WHEREAS, Allegheny County Council is pleased to commend and pay tribute to those young people who by achieving outstanding success in a musical and artistic endeavor have inspired and brought pride to our great county.

AND WHEREAS, the students of the Pittsburgh Civic Light Opera Academy of Musical Theatre outstanding performance in the Pittsburgh CLO production of Annie held June 29th to July 8th at the Benedem Center has clearly made a contribution to the spirit of excellence which is a tradition of the CLO Academy.

AND WHEREAS, the CLO Academy teaches students about every aspect of musical theatre production and prepares them for real world performance opportunities and professional careers.

AND WHEREAS, the CLO Academy's efforts have made a strong, positive impact in the lives of our young citizens and in the community.

NOW THEREFORE, BE IT RESOLVED, that Allegheny County Council does hereby recognize and applaud the 2012 Annie cast members of the Pittsburgh CLO Academy Musical Theatre for their outstanding artistic success and achievement.

FURTHERMORE, we commend the CLO Academy for helping to engage the next generations of leaders in the performing arts. Sponsored by myself and presented on this 21st day of August, 2012. And this is Joanna Lochran.

MS. LOCHRAN: Wow. Thank you very much for this speech. I'm very honored to be here. Annie was a great experience and the cast was great and they really deserve this. And we were like a family and it was great because not a lot of people get to do this so it's an honor. I'd like to thank the Pittsburgh CLO and all you guys. You guys are great. Thank you.

MS. HEIDELBAUGH: Mr. Chairman, point of personal privilege?

PRESIDENT MARTONI: Sure.

MS. HEIDELBAUGH: Might we ask this young girl who I think might be famous, might we ask her to sing a few bars of the Sun Will Come Out Tomorrow?

(Ms. Lochran sings song).

PRESIDENT MARTONI: The remaining Proclamations will be read into the record.

MR. CATANESE: 7083-12, a Proclamation honoring the student interns of the 2012 Local Government Academy Internship Program. Sponsored by Councilmembers Martoni, Futules, Burn, Danko, DeFazio, Drozd, Ellenbogen, Finnerty, Gastgeb, Green-Hawkins, Heidelbaugh, Macey, Palmiere, Rea and Robinson.

7084-12, a Proclamation congratulating Millvale High School upon the occasion of its 8th Grand Reunion. Sponsored by Councilman Burn.

7085-12, a Proclamation honoring Ms. Polly Grimpe for being elected as the first female to serve as

President of the Millvale Borough Council. Sponsored by Councilman Burn.

7086-12, a Proclamation commending the firefighters of the Millvale Volunteer Fire Department for their swift actions and efficient response to a tanker truck fire on August 7, 2012. Sponsored by Councilman Burn.

7087-12, Certificates of Achievement awarded to Adam Fonner, Jesse Klug and Mitchell Matey of Boy Scout Troop 905 for earning the rank of Eagle Scout. Sponsored by Councilman Drozd.

7088-12, a Proclamation congratulating the Coraopolis Borough upon the completion of the Shelley Jones Pavilion located in the Shelley Jones Memorial Park. Sponsored by Councilman Drozd.

7089-12, a Certificate of Recognition awarded to Ms. Jennifer Rubolino for demonstrating outstanding community recycling efforts. Sponsored by Councilman Ellenbogen.

7090-12, a Proclamation thanking Mr. George Geary, Sr. for his outstanding levels of volunteerism and charitable work. Sponsored by Councilman Gastgeb.

7091-12, Certificates of Achievement awarded to Ryan Douglas Zalla and Devan William Zalla of Boy Scout Troup 4 for earning the rank of Eagle Scout. Sponsored by Councilman Gastgeb.

7092-12, a Proclamation congratulating Ms. Ina Jean Marton, Mayor of White Oak Borough, for being named the 2012 Mayor of the Year by the Pennsylvania State Mayors Associations. Sponsored by Councilman Macey.

7093-12, a Proclamation recognizing Mr. John R. Palcsey, Postmaster of the Dravosburg Post Office, upon the occasion of his retirement after 42 years with the U.S. Postal Service. Sponsored by Councilman Macey.

7094-12, a Proclamation honoring Mr. Angelo J. Bordogna for being named President of the Pennsylvania State Bowling Association for his accomplishments in the sport of bowling. Sponsored by Councilman Macey.

7095-12, a Proclamation congratulating the Pennsylvania One Call System upon the occasion of its 40th anniversary. Sponsored by Councilman Macey.

7096-12, Certificates of Recognition honoring Mr. Thomas Connelly and Mr. Larry Varner upon the occasion of their retirement from the West Mifflin Public Works Department. Sponsored by Councilman Macey.

7097-12, a Certificate of Recognition honoring Ms. Opal Smith upon the occasion of her 100th birthday. Sponsored by Councilman Macey.

7098-12, a Certificate of Recognition honoring Ms. Mary Kasich upon the occasion of her 100th birthday. Sponsored by Councilman Macey.

7099-12, a Certificate of Recognition awarded to Mr. and Mrs. Russell and Elmira Brown upon their 60th wedding anniversary. Sponsored by Councilman Macey.

7100-12, a Certificate of Recognition awarded to Mr. and Mrs. Adrian and Regina Hrynyk upon their 60th wedding anniversary. Sponsored by Councilman Macey.

7101-12, a Certificate of Recognition awarded to Mr. and Mrs. Daniel and Therese Kolodziej upon their 50th wedding anniversary. Sponsored by Councilman Macey.

7102-12, a Certificate of Recognition awarded to Mr. and Mrs. George and Mary Lou Simko upon their 50th wedding anniversary. Sponsored by Councilman Macey.

7103-12, a Certificate of Achievement awarded to Shane Gillis, Adam Hand, Joseph Hayward and Scott Romanko of Boy Scout Troop 111 for earning the rank of Eagle Scout. Sponsored by Councilman Martoni.

7104-12, a Proclamation thanking WQED Pittsburgh for partnering with the early childhood community to help children realize their learning potential and declaring August 10, 2012 WQED Super Teachers Day in Allegheny County. Sponsored by Councilman Robinson.

PRESIDENT MARTONI: Thank you. Public comment on agenda items. We have one speaker, Michael Connors. Is Michael Connors here?

MR. CONNORS: I'm Michael Connors from Chalfont Borough. I was here roughly a year ago trying to convince you of the idea of renaming the Sixth Street Bridge for David McCullough. I just want to touch base with that. I want to start with a quote, a McCullough Quote, is I honestly believe that if you were to pick one place in this country where you can put down that lens in order to see the history of this country, it would be here. That's McCullough speaking of Pittsburgh in Pittsburgh in front of a crowd of thousands of out of town people in the National Trust For Historic Preservation Conference. I would think anyone with an appreciation of heritage, anyone with an understanding or deference toward their Pittsburgh ancestors should feel a certain pride in that statement. McCullough has authored nine American

histories including Pulitzer Price biographies Truman and John Adams. In Truman, McCullough writes of a Syria Mosque, The Post Gazette, the press and The Courier.

John Adams though he never traveled further west than Philadelphia still in order to understand Adam's time, McCullough brings the reader to Pittsburgh, the western most town of any consequence at the end of a rough hewn wagon road. In The Path Between the Seas, he writes of 50-plus Pittsburgh companies providing steel girders and forms of rivets, nuts and bolts by the millions bound for the Panama Canal. In The Great Bridge, there is Roebling, his wire rope, Pennsylvania Aqueduct and Pittsburgh mules pulling heavy barges. In The Johnstown Flood, you find Frick, Mellon, Carnegie and Phipps. Pittsburgh appears in the introduction of both companions and in the first sentence of the first paragraph in Mornings on Horseback. In the book 1776, McCullough writes of the Allegheny River Valley and the wilds of Western Pennsylvania. The Greater Journey winds on with Saint-Gaudens at the Carnegie Institute in Pittsburgh. Pittsburgh appears in all of McCullough's histories as Pittsburgh has played a role in nearly all American histories.

I want to thank Councilperson Danko for seeing the civic and cultural value of this proposal, and I would respectfully ask all of Council to share that vision. A David McCullough Bridge four blocks east of the Heinz History Center would increase the county's prestige. It raises the region's place at the table of history and further enforces and confirms Allegheny County's present-day vitality. Thank you.

PRESIDENT MARTONI: Can we have a motion to approve the Minutes of the past four meetings, 6978-12, 7071-12, 7074-12, 7075-12?

MR. CATANESE: Motion to approve the minutes from the April 17, 2012, June 19, 2012, July 3, 2012 and July 10, 2012 regular meeting of Council.

MR. ROBINSON: I make a motion to approve.

MR. MACEY: Second.

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

(ALL RESPOND AYE)

PRESIDENT MARTONI: Opposed? So ordered.
Presentation of Appointments?

MR. CATANESE: None.

PRESIDENT MARTONI: Unfinished Business,
Committee on Public Works, Second Reading, 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 Councilmembers Danko, Macey, Palmiere and DeFazio.

PRESIDENT MARTONI: Ms. Danko?

MS. DANKO: This motion, what it's designed to do is follow the ordinance that Council passed, I believe it was back in 2008, whereby they set up a system where they suggest some kind of honor. And the County Manager sets up a committee. The committee is required to hold a public hearing. And then the committee will come back to Council with a recommendation whether they think this is an appropriate honor or not, whether there's, you know, some modification. This motion simply sends the --- it keeps the process moving on trying to have an honor in Allegheny County for Mr. David McCullough. Thank you.

PRESIDENT MARTONI: Is that a motion?

MS. DANKO: That's a motion.

MR. ROBINSON: I'll second.

PRESIDENT MARTONI: Moved and second. Question? Roll call? Yes, I'm sorry?

MR. DROZD: I just pulled this gentleman up on the web. My God, it's published. I mean, you talk about --- he's written about John Adams, Truman, Einstein, unbelievable. I mean, the only thing I would say is he has to come here and whatever they do or we do, he has to come here and accept it personally. He has to be a party to this.

MS. DANKO: He has to be alive. Hopefully he's still living.

MR. DROZD: Yeah, that's what I'm saying. Hopefully he is. Maybe he'll come in spirit, but it's unbelievable.

PRESIDENT MARTONI: Thank you. Okay. Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Yes.
MR. CATANESE: Mr. Drozd?
MR. DROZD: Aye.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: Aye.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: Yes.
MR. CATANESE: Mr. Futules?
MR. FUTULES: Yes.
MR. CATANESE: Mr. Gastgeb?
MR. GASTGEB: Yes.
MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. CATANESE: Ms. Heidelbaugh?
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, 15, nos, 0, bill passes.
PRESIDENT MARTONI: Liaison Reports.
MR. ROBINSON: Mr. President?
PRESIDENT MARTONI: Yes. I'm sorry, Bill, I
didn't see your hand. I'm sorry.
MR. ROBINSON: Am I first?
PRESIDENT MARTONI: Yeah, you're first.
MR. ROBINSON: Thank you, Mr. President and
members of Council. If this is the appropriate time, I'd
like to talk about the 2013 budget process.
PRESIDENT MARTONI: When you say it's the
appropriate time, that's the appropriate time, okay?
MR. ROBINSON: Thank you, Mr. President, this is
the time. All members of Council should have received
before this meeting a communication from the Chair of the
Budget and Finance Committee, myself, relative to a
tentative schedule for our budget meetings. That schedule
has already been altered once so as not to conflict with a
previously scheduled meeting of another entity.

But what you most recently received is the actual schedule to date that I'm proposing to you, unless there's some major conflicts that Mr. Szymanski and I have overlooked. Staff and I put this together with several things in mind. One to try to stay as consistent as possible with what we did last year in terms of scheduling. To take into the account the regularly scheduled meetings that we're aware of to date of this Council, our regular Council sessions. And also, to accommodate members who have other engagements or appointments that might conflict with what we are proposing.

As I mentioned, each and every year this schedule is subject to change for the reasons previously mentioned or because the Chair thinks it would be in our best interest to make a change. After reviewing the proposed schedule, if there are any members who have suggestions or proposed changes, if they'd be kind enough to share those with myself and Mr. Szymanski and we'll do whatever we can to accommodate you.

I remind members that your input is seriously solicited, not only in terms of questions that you would like the committee to process for you, that is to make a request of the appropriate people, but to accommodate you in terms of those persons from the administration that you think could be most helpful. For those of you who have not been through this process before since I've been Chair, a couple things you need to be aware of as we go into this.

One, there will be a continuous process of requesting your input relative to information that you would like the Chair and committee and staff to get from the administration. At all times we will respect members' ability and right to gain your own information if you chose to do so, then you're responsible for getting it, not the Chair and not the committee. If you need our help, we're here to help you. If you feel you don't need our help, then we'll mind our own business.

Also, the Chair will do what he can to accommodate members of the committee, of the Budget and Finance Committee, first. Members of the committee will be accommodated first in the committee meetings, at any other meetings scheduled by the committee. I think that is the right and proper thing to do. If you are not a member of the Budget and Finance Committee, please take

what I just said seriously. It is my understanding from past budget processes where I have been Chair of the Budget and Finance Committee, members would prefer to complete our work in the first or second week of December. Unless I sense that there is some interest in not doing that, the Chair will move forward on the presumption that that's what you want to do, that you want to complete all of our work the first or second week in December, that means including this Council having a final vote.

Mr. Szymanski and I, Mr. Barker and the rest of the staff have been working diligently anticipating some of your questions and some of your concerns. You will find in your mailboxes a recently completed fee study generated by the Budget and Finance Committee of this Council. It was generated to help you appreciate the fee structure in Allegheny County, those fees over which we have some control, that is, whether we can eliminate them, increase them or decrease them. And also, it reflects a continuation of a process we started a couple of years ago of reviewing the fees. In fact, two years ago we did increase the fees. We were able to generate maybe between \$3 and \$4 million. It is not my anticipation that any fee study will show that there is more than \$10 million available, no matter how high you take the fees. And you know there's always the political risk when you raise the fees that you will anger somebody. That's a reality. It's another version of raising taxes. Let's just be honest.

But that fee study is available to the members of this Council first. That fee study is in your mailboxes. Please look at it and use it as you see fit. There are no recommendations in the fee study relative to increasing or decreasing or maintaining fees. That wasn't the purpose of the study. The purpose of the study was to give you some information that you could reference in making decisions relative to fees in this County. That decision will be left to each individual member, and of course, the Budget and Finance Committee will process the concerns around the fees as we look at how we might generate revenue for the County.

If members have some bright ideas as to how we can generate more revenue for the County, you have several options, including using the Budget and Finance Committee process to present your ideas. That process is open to you. I encourage members to take serious, particularly

the members of the Budget and Finance Committee the obligation we have, I believe, to present to our colleagues what we think is a budget that provides for the revenue this county will need in 2013 and possibly beyond and what the sources of those revenues will be and the expenditures that we anticipate.

I can't tell you at this point what the administration's process will be to generate the document that is considered a budget presented by the Chief Executive. That is a matter that I have not been involved in, and at the appropriate time I'm sure there will be an opportunity for myself, Mr. Szymanski and others, including members of this Council, to have discussions with the administration about the budget process and what the administration proposes. As I say each and every year, I think it's in our best interest where the Council and administration can come to an agreement on some items so that we don't have to argue about everything.

Some areas there probably will be disagreement. I respect that process, and yet there might not be any area where we can agree. But I think one area where we all can agree is that this County needs new revenue. How we get it and where we get it seems to be a source of great discussion and great concern. The Chair is open to any ideas in that regard that any member might have, whether you present them through Budget and Finance or through some other process. I look forward to working with the administration as we move forward. Please be aware that if there are any changes in the proposed budget schedule, Mr. Szymanski and I will get that information to you just as quickly as we can. Thank you, Mr. President, members of Council.

PRESIDENT MARTONI: Thank you. We'll take a question on each side to try to be as fair as possible. Jim?

MR. ELLENBOGEN: Question or ---?

PRESIDENT MARTONI: Statement.

MR. ELLENBOGEN: Okay. I have two points, if you would, Mr. President. Education is a great thing for children, and Monroeville Councilman Berm Erb, who's pushing really hard for Monroeville Public Library, asked myself and President Martoni to announce that the Monroeville Public Library is going to have a Book Blast 5K walk/run on Sunday, September 16 at the Monroeville Community Park. Registration is 7:30 a.m. and the

run/walk is at 9:00 a.m. It's a \$20 fee if it's received before September 8th and you actually even get a T-shirt guaranteed if you register before the 31st. Any further questions could be looked at on the library's website at monroevillelibrary.org.

The other point I have, Mr. President, as everyone in this room is aware and it reminded me tonight from Councilwoman Danko's excellent legislation in naming a bridge after Mr. McCullough that close to a year ago I had asked the same consideration to be given for Art Rooney, Sr. for the contributions that he had given to this city and this county and this entire region. Somehow along the lines there's a new administration --- that request --- and it's documented very well in the public record --- seems to have been lost. I would ask you, Mr. President, in lieu of what has happened, if you would ask your staff to recreate that legislation requesting that committee to also look at a bridge be named in honor of Art Rooney, Sr. And I would ask that that would be ready for the next meeting considering --- I don't care if it's next week --- considering that I've been more than patient and that I feel that in due respect with the Steeler season starting, that it would be a great honor, it's something that I would like to see expediated. So with that, I would make that request to you, Mr. President, or Mr. Vice President or whoever can make Jared do it.

PRESIDENT MARTONI: Staff is here and they heard you well and clear. Okay.

MR. ELLENBOGEN: Thank you. I appreciate it.

PRESIDENT MARTONI: And I'll do one on each side here. I don't know the order who had their hand up when, so ---.

MS. GREEN-HAWKINS: Thank you. Thank you, Mr. President. I just wanted to make Council aware and the public aware, if they hadn't already known, about the agreement reached with the Port Authority and the Transit Union. Historic concessions were agreed to by the union. This past Sunday they voted to ratify the contract. And today the Port Authority Board voted to also accept the terms of those contracts. Now, this whole finding solution to the crisis that's been going on with the Port Authority is these are two parts of the three legged stool. We had the county involved, ATU and we're also going to get some assistance from the state as well as and

have been in touch with the Governor's Office. And provided that comes through, we're good for another year.

Now, I don't know about you, but we're all tired of living like this. So it's brought to light even more so the need for a dedicated funding solution for the Port Authority. And those are discussions that we will be having with the Governor's Office going forward after we get through this next hurdle. But so far it looks like things are looking better for the Port Authority for the next year at least. Thank you.

PRESIDENT MARTONI: Thank you. On this side? Michael?

MR. FINNERTY : Thank you, Mr. President. I just have two points I'd like to make actually. The bricklayers and allied craft workers Local No. 9 PA Joint Apprenticeship and Training Fund, it's located at 100 Kingston Drive, Pittsburgh, PA, 15235. And the phone number is (412) 825-0923. They are opening up their apprentice program, and it's open all year actually. And it's opened up for --- accepting applications for the following trades: bricklayers, cement masons, pointer, cleaner, caulkers, stone masons, tile layers and terrazzo workers. So if you're interested, the number again is (412) 825-0923.

Also, Western Pennsylvania District Council No. 57 is opening up an apprentice program for joint apprenticeship. And that is located on Ewing Road, 100 Ewing Road, Carnegie, PA, 15106. The telephone number is (412) 276-6061. And this is painters, glazers, drywall finishers. There's the programs for 2012. So if you're interested, give them a call. Again, it's (412) 276-6061. Thank you, Mr. President.

PRESIDENT MARTONI: Thank you. On this side?

MR. PALMIERE: Thank you. Mr. President, I also wanted to mention that. My colleague already took care of that. Thank you, Mike. One other thing, Mr. President, I just want to remind people that the deadline to file an assessment appeal before Judge Wettick is next week, August 28. Thank you, Mr. President.

PRESIDENT MARTONI: Thank you. Over here, is there any more? You're finished here. Over here?

MS. HEIDELBAUGH: Thank you, Mr. President. As you know, I serve on the Election Review Board with my colleague, Mr. DeFazio, and I was wondering if I could ask a question of our County Solicitor as to whether the

lawsuit is going to proceed on the voter identification law considering that the Commonwealth Court has now upheld it. And my question is to whether we can reduce some fees in the county by not proceeding with that lawsuit.

PRESIDENT MARTONI: Yeah, please. Come to the mic.

MR. CAMBEST: To the second point, there have been no fees incurred. The lawsuit was handled by --- internally in the county law department. I think there was a filing fee of \$53, was the only expense, other than county time. As it stands, our case was essentially stayed during the prosecution of the ACLU case. As a practical matter, the arguments raised in our separate lawsuit have essentially been mooted by the existing Commonwealth Court decision. We're going to be talking to the Attorney General's Office. What's likely to happen is that our suit will be essentially either dismissed or defeated on the same grounds in the Commonwealth Court and taken to the Pennsylvania Supreme Court in conjunction with the ACLU suit is the current intention.

MS. HEIDELBAUGH: Well, let me ask you a --- can you hear me?

MR. CAMBEST: Yes.

MS. HEIDELBAUGH: Let me ask you a follow-up. Are you dismissing the lawsuit here?

MR. CAMBEST: No, that is not our intention, no. Not to dismiss it, no.

MS. HEIDELBAUGH: You are going to ask that it be joined with the ACLU lawsuit?

MR. CAMBEST: I think it will be up to the court. We would file the appeal. It's likely that will either be dismissed at the Commonwealth Court level. They heard the case under their original jurisdiction. Given the decision and the ACLU, Applewhite case, it moots the arguments essentially raised by the county in this case. So in that case, one of two things could happen. It could either be dismissed or dismissed as moot on a motion to dismiss, which is probably the likely scenario, which would result in the avenue for readdress being appealed to the Supreme Court. It is our guess --- and we can work this out, too, with the Department of State --- that since some of the arguments dovetail together, that those cases will be heard together at the Supreme Court. We would assume that ---.

MS. HEIDELBAUGH: So you're going to continue to appeal this matter?

MR. CAMBEST: If we --- we will take that decision to the Board of Elections when and if our case is actually formally dismissed, but ---.

MS. HEIDELBAUGH: All right.

MR. CAMBEST: That is the county's intention, yes.

MS. HEIDELBAUGH: But you will be coming back to the Election Review Board?

MR. CAMBEST: Yes. Once there is resolution of the case at the Commonwealth Court, yes.

MS. HEIDELBAUGH: Okay. I would have to disagree with you. And we can agree to disagree, that this lawsuit didn't cost the county any money because I assume you paid the lawyers who handled this matter who are employees who could have been doing something else?

MR. CAMBEST: We can agree to disagree on that point, yes. It would be impossible to quantify that exact amount of money, but lawyers within the county law department continue to receive their salary while working on this matter as well as others. Yes, that's true.

MS. HEIDELBAUGH: You do hire outside counsel, don't you?

MR. CAMBEST: Very rarely. We did not in this case.

MS. HEIDELBAUGH: No, I know you didn't in this case, but you hire outside Counsel because lawyers inside the county can't do everything; correct?

MR. CAMBEST: We haven't hired any since I've been here, but I know outside counsel has been retained, yes.

MS. HEIDELBAUGH: That's all the questions I had.

PRESIDENT MARTONI: Okay.

MS. HEIDELBAUGH: I have another matter.

PRESIDENT MARTONI: Go ahead. You might as well take it now.

MS. HEIDELBAUGH: Okay. A couple of months ago I had asked that issues regarding the jail be referred to the Public Safety Committee. And I've been sort of, you know, asking when that hearing is going to take place for months. And I was assured that that hearing was going to be scheduled and it hasn't been scheduled. So I was just wondering if perhaps the Chair of the Public Safety

Committee could give me some direction as to when that hearing might be scheduled.

MR. ELLENBOGEN: I have --- Mr. Barker, would you answer her for me, please?

MR. BARKER: Mr. Ellenbogen has actually been in touch with me to talk about when to schedule that meeting. We're still kind of in the process of kicking around the final day. I believe we were looking at sometime in September, the second week in September, I believe, but the notice will go out as with regular committee notice.

MR. ELLENBOGEN: Yeah. Councilwoman, I hadn't told you because we hadn't an exact ---.

MS. HEIDELBAUGH: That's fine.

MR. ELLENBOGEN: But we have been working on it.

MS. HEIDELBAUGH: Since I'm going to be, you know, participating quite heavily in that ---.

MR. ELLENBOGEN: When we know for sure, you'll know for sure.

MS. HEIDELBAUGH: But I mean, I'd like to make sure that my calendar is available to attend since I'm going to be inviting a lot of people to come. So if you could run that date past me as well, please.

MR. ELLENBOGEN: If you would, and I don't want to discuss it on the floor, but Mr. Barker and I discussed some issues and terms of this being more like a two-tier meeting so he can give you the details or you can discuss it with me at another time. I don't want to hold up the rest of Council.

MS. HEIDELBAUGH: I appreciate your willingness to work with me on that, thank you.

MR. ELLENBOGEN: I'm sorry I haven't gotten back to you yet, but you know, I'm busy, too.

MS. HEIDELBAUGH: That's okay.

PRESIDENT MARTONI: Anyone else over here? I just have a couple of things. I want to give special thanks to our County Executive, Rich Fitzgerald, to our Secretary of Transportation from the State of Pennsylvania, to the President of the union at the Port Authority and to Steve Bland, the Director of the Port Authority, the boss of the Port Authority. Without those people, particularly our Executive, Rich Fitzgerald, I don't think it would be a good settlement like we had, good for the people of Allegheny County. So I want us to give them a special thanks. That was really good.

Also, I want to mention that some of us attended the Local Government Academy Presentation for Certificates of Appreciation on August 9th and I wanted to thank those who have attended. Okay. Anything else? Okay. Let's move on. New Business, Ordinances and Resolutions, 7105-12.

MR. CATANESE: An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the acceptance of the donation of a park bench to be located within North Park. Sponsored by the Chief Executive and Councilman Futules.

PRESIDENT MARTONI: Anything else other than sending it to committee?

MR. FUTULES: Now, we'll defer to subcommittee, please.

PRESIDENT MARTONI: Okay. 7106-12.

MR. CATANESE: An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the entry onto County's Harrison Hills Park construction of an outdoor classroom and transfer of the completed project to the County. Sponsored by the Chief Executive and Councilman Futules.

PRESIDENT MARTONI: Committee on Parks.

Anything else you want to say?

MR. FUTULES: No, I'll defer this to committee as well.

PRESIDENT MARTONI: Okay. 7107-12.

MR. CATANESE: An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the entry onto the County's North Park, the redesign, modification, construction and rehabilitation of the North Park Multi-Use Trail and transfer of the completed project to the County. Sponsored by the Chief Executive and Councilman Futules.

PRESIDENT MARTONI: Committee on Parks?

MR. FUTULES: I'll defer this to Parks.

PRESIDENT MARTONI: 7108-12.

MR. CATANESE: An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the entry on the County's Settlers Cabin Park, construction, rehabilitation and development of Settlers Cabin Park Trail and transfer of the completed project to the County. Sponsored by the Chief Executive and Councilman Futules.

MR. GASTGEB: President Martoni?

PRESIDENT MARTONI: Yes.

MR. GASTGEB: Point of privilege.

PRESIDENT MARTONI: Yes, please.

MR. GASTGEB: Before the meeting, Councilman Palmiere and I met. This goes back to a meeting we were called to over the summer about working together with the Park Foundation, our partners on that Board and our friends. And I appreciate Chief Executive Fitzgerald as well as Chairman Futules for putting it together. However, I need to point out, and I believe Mr. Palmiere is collectively with me on this because we're so active within South Park, if you look at the attachment of what the improvements potentially are at South Park, they're extremely numerous compared to the others. In fact, what my intrepidation is is that we may not be able to deliver on all of these because they're so specific.

Also, I'm not so sure I'm in agreement with all of them, I won't speak for Mr. Palmiere. For instance, it's very specific to say we're going to remove the existing bleachers in the fairgrounds. That's not enhancing amenities or enhancing the trail, it's pretty specific. I'm getting emails from my constituents saying they use the bleachers for exercise and they use the bleachers for different things. So I'm not sure if that's the best way to move forward.

I realize also there was multiple votes on this because we have to appropriate money and we also have to use conditional use of the land. This first reading could potentially be extremely far off from how the final second reading could be brought back to this Council. And again, I realize that the first reading and the second reading don't have to be close to each other, but Mr. Palmiere and I really haven't had a chance to talk about this and look at this as representatives of South Park and of that Council District, which I believe we deserve that respect, so I am leery.

I was going to ask the sponsors to withdraw this and I believe bring it back where it's more accurate. I can't do that, however, because Mr. Futules is one sponsor and the Chief Executive is the other. Not seeing Ms. Liptak as his representative, she would have to withdraw it. So I'll just make a note right now that I know when it goes to the committee it might change. I'll also refer to my partner, Councilman Palmiere, if he wants to say a few words. But I really think that this Council has to

have a lot more of say of what goes on in our own districts. Thank you.

PRESIDENT MARTONI: Mr. Palmiere, do you want to say anything?

MR. PALMIERE: Mr. President, thank you. I'm in complete agreement with my colleague concerning this matter. In my opinion there are so many things, other issues down at the park that need to be addressed before we undertake a lot of these big projects. And I'd like to see some of this revisited and talked about before we take anything else on. Thank you, Mr. President.

PRESIDENT MARTONI: Okay. Mr. Futules.

MR. FUTULES: I have no intention of withdrawing it because it's just the first reading, but I would like to make sure that when we have the parks meeting, I would like to make sure that all of you can attend so that you can raise your concerns. So we'll make sure that the Parks Foundation, Jennifer Liptak, and others, Andy Beckley (phonetic) and who else needs to be there will answer your questions, and we'll hold it in committee until we meet and things get straightened out. But there's no reason for me to withdraw it at this time.

MR. ELLENBOGEN: Mr. President, I have a point.

PRESIDENT MARTONI: Yes, go ahead.

MR. ELLENBOGEN: I just wanted to say that I'm probably more familiar with the public works and parks are in terms of South Park because for a long time the maintenance of it was all under me when I was chief of operations. I fully support Councilman Gastgeb and Councilman Palmiere in looking at this because there's a lot of issues in terms of the maintenance and how they do things in these parks that become done in such a way that they're not even given consideration in terms of how much it's going to cost to maintain it and not given those kind of thoughts. So I applaud both of my colleagues for raising an eye to what is being done in that park. So I just wanted to let you guys know I'm with you.

MS. HEIDELBAUGH: For the record I concur with Councilman Gastgeb's and Councilman Palmiere's concerns.

PRESIDENT MARTONI: Thank you.

MR. GASTGEB: And again, probably amongst everybody up here I certainly work with you the most on these issues. We talk a lot and we know each other. I just think we've come to the point --- and I'm not even sure I disagree with any of this. The bottom line is that

we're putting this in committee without, I think, the input of Councilmembers. I think I have partial input. Again, I don't want to speak for Mr. Palmiere. I just don't think this is the way we should be going forward. Again, if you look at the other attachments and the other legislation, there is like ten things on South Park and maybe one or two on the other parks. So right now what I'm going to do, I fully expect to have this come back up, but I think it needs to go into committee prior to the first reading. So I'm going to ask that this be tabled.

PRESIDENT MARTONI: That would cause a vote.

MR. GASTGEB: It's an immediate vote.

MR. DEFAZIO: Point of privilege. You have to just vote yes or no.

PRESIDENT MARTONI: No discussion, just a vote.

MR. FINNERTY: I just wanted somebody to explain what tabling is. We have new people here, I don't think they know what it means.

MR. ELLENBOGEN: I know what tabling means, but I want to know specifically before I vote what we're voting on or against.

PRESIDENT MARTONI: We're voting to table this particular 7108-12.

MR. CAMBEST: We're not even on South Park, by the way, we're on Settlers. He hasn't put it in committee.

PRESIDENT MARTONI: Yeah, you're correct on that.

MR. FUTULES: That's what I'm going to do in a little bit.

MR. GASTGEB: I will withdraw my comments. Thank you. Why'd you guys let me go on?

MR. FINNERTY: Point of privilege, please. Point of privilege.

PRESIDENT MARTONI: Go ahead. You got the point of privilege.

MR. FINNERTY: Thank you. Could I ask our Solicitor to explain what tabling entails so that everybody up here knows?

MR. CAMBEST: If there is a motion tabled with a second, and there's no discussion on the motion to table. If the motion to table is approved by the majority, then it gets set aside. It can be brought up under certain rules, but usually it's set aside until the next meeting. And then if it's brought off the table at that point in

time, it can be voted on. There's some thought that if it's not moved off the table at the next meeting, it dies. So that's ---.

MR. FINNERTY: Just to follow up on that, what's it take to untable something? It's not just the majority; is it?

MR. CAMBEST: I believe it's just the majority.

MR. FINNERTY: I thought it was two-thirds.

MR. CAMBEST: No, not to bring it back off the table. I don't think so. You may be talking about pulling out of committee, it would be two-thirds. We can check that, but I think that's what you may be thinking.

MR. FINNERTY: I thought that's what we said once before when we were going to have something tabled up here, it was going to take two-thirds vote to untable something.

MR. CAMBEST: No, I don't believe so. I'll double-check that, but ---. Let's see if we have a motion. Do we have a second or you withdraw that? Do you withdraw that, Vince? You should.

MR. GASTGEB: I withdraw, and I'll put my glasses on.

PRESIDENT MARTONI: 7108-12 --- no. We're sending that to committee, Committee on Parks. Okay. 7109-12.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the entry and construction of the county's South Park and transfer of the completed project to the county. Sponsored by the Chief Executive and Councilman Futules.

PRESIDENT MARTONI: That goes to Committee on ---.

MR. GASTGEB: Personal privilege.

PRESIDENT MARTONI: Personal privilege.

MR. GASTGEB: Okay. I won't repeat myself. I appreciate Mike putting me on the right number, but in my opinion all this is is just setting it aside. I certainly want this to be brought forward. But I just think putting it forward in this manner puts expectations out there that may not happen. I just don't think that's fair to people who want to know about some of these projects. Secondly, I have to ask my colleagues, you know, if something came up in your districts, I don't think I would do anything other than just accept what you think's proper. I don't think I've ever shown anything that if you want something

done in your district, if it's a bridge renamed, if it's something in your park, if it's whatever, I certainly look at you as the expert. You have not one but two Councilmembers telling you that tabling it would be the best approach and then bring it forward at the next meeting. We'll bring it forward, but it would be worded different. So that's what we're asking for. Thank you.
So at this time I will ask that this motion be tabled.

MR. ROBINSON: Second.

PRESIDENT MARTONI: Moved and seconded to table 7109-12. Correct? We don't need a roll call vote?

MR. CAMBEST: Yes. Did you make a motion.

PRESIDENT MARTONI: Moved and second.

MR. CAMBEST: Just so everybody knows, we can't have any discussion from the Board members. Mr. Finnerty is correct. Roberts Rules of Order is a majority to take it off the table. Our rules are two-thirds, so Mr. Finnerty was correct.

MR. GASTGEB: But if I could comment, when we bring it back, we should have 15 because everyone should be in agreement if it comes back the right way.

MR. CAMBEST: Yeah.

PRESIDENT MARTONI: Is that a roll call.

MR. CATANESE: Yes. This is a call to table 7109-12.

PRESIDENT MARTONI: Yes.

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: No.

MR. CATANESE: Mr. Gastgeb?

MR. GASTGEB: Yes.

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, nos, 1, bill's tabled.
MR. ROBINSON: Mr. President, point of personal
privilege, please.

PRESIDENT MARTONI: Go ahead, Bill.

MR. ROBINSON: As we have been discussing and/or listening to Mr. Palmiere and Mr. Gastgeb, it seems to me that a question has been raised that needs to be resolved. And that is, as I see it, does the county proper want to revisit the issue of the role that the Parks Foundation is playing in advancing the interest of this county. I would think that this Council and probably administration would like to do that. That's a legitimate concern. I'm also concerned about the budget implications of moving these projects around, either from the Park Foundation to the County or from the County to the Park Foundation. What's the impact on the County budget? Who's going to pay for all of this?

I think that the first question has to be resolved, and that is, what role does this county, the county proper, the Executive and the Council feel that the Parks Foundation should play in advancing the interests of this county as relates to the parks however you identify that.

I don't think that issue has been fully resolved, notwithstanding any legislation that this Council has passed or any Chief Executive has signed. I think it's still an open question, who's in charge, who's going to do what. I would hope that as these bills are tabled or sent back to committee or voted upon that two issues be taken into consideration. One, have we fully resolved the larger issue of what role do we want the Parks Foundation to play? And what's the budget implications of any decisions we're making about what the

Parks Foundation should or should not be doing? Thank you, Mr. President and members of Council.

MR. DROZD: Point of privilege.

PRESIDENT MARTONI: Point of privilege, go ahead, Matt.

MR. DRODZ: Yeah, I echo Councilman Robinson's sentiments because we talked about this. You know, this Council has done an admirable job of overseeing the parks with what little monies we have and the committee and chair has done an excellent job. The issue is the bottom line, and the bottom line is there is no bottom line. There's no monies to go around. And, you know, I have one in committee that could answer that solution which is the parks that would not only put these parks in repair --- go to the parks, look at some of these pavilions. They're in disarray. They're caving.

A friend of mine, he had a picnic, he says he had some bees. I called the park manager and he did, came up with a Raid can in his hands. And I say, you know, we used to have a team that would trim all the trees. He says, they're gone, you're looking at him, I'm the trimmer. So this Parks Foundation and the people of this county invested much money into --- much money, millions, has done as far as I can --- as far as an expert in fundraising can say, there's no return. I mean, I know that --- areas were raised with one-tenth of that amount of money, millions. What do we got? It's the Friends of the Parks that bring the money in. It was right in two of those areas, they're the ones that are bringing the money in.

Is this foundation created just in essence for those that serve in the foundation or is it what it's supposed to be, and that's supposed to be serving the people of Allegheny County and bringing money to these parks? How long has it been in existence? We've ask questions. We've ask them to come before Council and the committee and the chairs. And have they? Have they brought answers? They need to be made accountable to this county and these taxpayers and to us. I respect my Council. They've done everything they can with the little monies that they have. And so has the Parks Committee. But the Foundation has not done its part in the investment that's been made by the people of this county and the taxpayers. The return is far, far insignificant compared to the investment. So we need to drill down on this. And

I agree and I echo the sentiments of all my Councilmembers here. We all have concerns and we've got to deal with this. Thank you.

PRESIDENT MARTONI: Vince and then --- wait, everybody can't speak at once. Jan, go ahead.

MR. REA: Thank you, Mr. President. I respectfully disagree with Mr. Drozd concerning the Parks Foundation. The Parks Foundation, they're a group of very committed individuals from this county that are working to better our parks and they're working in partnership with us. I totally agree with Mr. Gastgeb, though, where he has concerns about South Park and some of the projects that they are working on in South Park. And he absolutely has a right to have a strong voice and lead the Parks Foundation as to what really needs to be done in South Park. But to sit here and really say anything disparaging about the Parks Foundation is really not a good thing for any of us to be doing. Because they are truly raising money and they're dedicated to work along with certainly our Parks Department, our Council and our Chief Executive. Thank you.

PRESIDENT MARTONI: Okay. Mr. Gastgeb and Mr. Ellenbogen.

MR. GASTGEB: Thank you, President Martoni. I echo the comments of Jan Rea. You know, we met over the summer at least once and there is a no more committed group than the Allegheny County Parks Foundation. That's not the issue. Mr. Robinson in his expertise is kind of on there track where, where does this end and are we on the right path. And that's all I'm saying. I think the projects that --- this survey was done a year ago, but they're following the master plan of 2002. Well, don't you think some projects might have changed in 11 years or 12 years? I mean, that's what I'm saying is important.

Let me just underscore again, the Parks Foundation is needed, but the communication that we have moving forward is really important. Nobody wants to put a project up that isn't the right project, that's what I'm saying. And let me just refer you to attachment A of the legislation. It says there's a rehabilitation of the South Park Oval, including the construction of track and ball fields at the intersection of Corrigan Drive and Brownsville Road. Mr. Ellenbogen, the intersection of Corrigan Drive and Brownsville Road, as a former public works director, there is the children's playground on the

left side at the stop sign and then the top part which is the parking lot on the right side. But it says there're going to put fields there. Obviously, that can't be right. It has to be somewhere else. There's no room for the fields unless you're tearing down the children's playground. Am I right or wrong?

MR. ELLENBOGEN: You're absolutely correct.

MR. GASTGEB: So I'm concerned about that. Installation of fencing, throughout the whole park, throughout the fairground area, around the police station, what does that mean? Removal of existing bleachers, all of them? Installation of movable bleachers, where they're going, is that safe, is that going to be nice? Site amenities, who knows what that means? Project signage, we talked about, again, a year ago for an hour about signage. Mr. Futules brought up a lot of good points, so did Mr. Palmiere about signage. We were told that the signage was accurate. Here there's going to be new signage. What does that mean? Also, if you look in parenthesis, it says, the former county fairground site. Has anybody been to South Park recently? Is the fairground still there? Is it the former county fairground site? The group that's having the rib and wing challenge over Labor Day, I hope there's still a site there because it says it's the former county fairground site.

I just want this to be accurate so when constituents read this and they get excited about something that can't happen because it was worded incorrectly, that's all I'm saying. So I think the extra week gives us the possibility of putting other language in, looking at what the projects are, money for capital budget to Mr. Robinson's comment, you know, and then putting it all together. The Foundation has done a great job outlining this and finding the right money. It has nothing to do with the Parks Foundation. It has to do with prioritizing projects. Thank you.

PRESIDENT MARTONI: James and then Mr. Drozd.

MR. ELLENBOGEN: We have a Council of Friends that we sit up here and routinely appoint them who are very interested in all of our parks and work very hard. We have a Parks Foundation who raises money and works very hard. But our responsibility goes far beyond what visions are. We have a responsibility to number one, what is legal. Number two, what's the intent of the people who are gracious enough to leave these grounds to us. Number

three, traffic considerations. Just to cite Councilman Gastgeb talking about, you know, fencing being removed, putting something there, a five-way intersection, there are legal engineering right-of-way concerns that have to be dealt with.

A lot of times what happens, folks get excited, you know, they have a vision. And that's great. But we have an obligation legally to make sure that the ground that our ancestors had left us in good faith is carefully managed, not only legally but safely. If you take down a fence somewhere, and then what, now you got to chase three-year-olds across the highway? I mean, these things have to be thought out, not by people who have a vision and who can raise money and this and that, but by our engineers, by our experts in terms of to make sure it's safe, to make sure that it's maintenance-free. I mean, let me give you just a quick example.

I can remember arguing with the folks, the tree people, I forget what you call them, but I'm just going to call them the tree people. Forgive me for my being politically incorrect. They wanted to put trees right in the middle of areas where we had traditionally cut this grass with a Batwing. A Batwing is a huge lawnmower that has big things. You know, one guy would get on the mower and in a couple hours would do the whole area. Well, what happened was they built --- this would look nice, they put trees here, they put trees here, they built little concrete things around the wave pool. So now, instead of having one guy put on a lawnmower, now I got one guy on the lawnmower and I got four guys with --- trimming. You see what I'm saying? These things have to be thought out. And that's all I'm saying. I think that it's very wise, you know, what Councilman Palmiere and Councilman Gastgeb are doing. Let's make sure that this thing is a vision that we can all march forward together. That it's not only wonderful for the citizens of the county, but it doesn't cost us any more money and that it's safe. And that's all I'm saying and that's why I support it. Thank you.

PRESIDENT MARTONI: Thank you. Mr. Drozd?

MR. DROZD: Yes, thank you, Mr. President. As far as the Foundation, I base my comments on 15 years' experience in professional fundraising. I was a certified fundraising executive and I'll tell you this, I was responsible and I did raise millions in two of the poorest

counties of this state, two of the poorest counties of this state, with far less monies than was invested in this foundation. And I think it's our job, our responsibility to bring them --- how many have of you have seen an itemized detail of what they raised on this Council? I haven't. I think we need to see that and we need to ask questions. Because we are stewards of the taxpayers' monies, and there are sizeable monies invested in this and we need monies in those parks. And by the way, there's no reason why there shouldn't be sizeable money raised from this county for those parks because there's a lot of people out there who would support it. We need a plan of action. We need to see that plan of action on where they're going for those monies and how they plan and what their goals are. They need to have goals re-established with the return on investment and what we expect. And there's no reason and no problems that every one of us can ask that and we need to bring them before our Parks Foundation and ask those questions and see those plans and see those projections. Thank you very much.

PRESIDENT MARTONI: Thank you. Mr. Futules?

MR. FUTULES: Okay. Well, everybody is having comments. And the administration has met with the Foundation along with myself and some Councilmembers. We have talked to the Foundation as to the direction we want to see them go in, what the policy is, what we want. And we made it very specific that no matter what money they could raise or even before they raise it, they have to come to County Council for approval. We are the boss, just like you're asking the question.

Nothing is coming into those parks unless this Council approves it. No matter how many millions of dollars are donated, if we don't feel it's not a good idea, we don't accept it because of maintenance in the future and Vince's concerns in South Park. So I would urge any Councilmember to come to the committee meetings and express these concerns. Because it's important for every person in their districts' parks so that they can make sure that things in their area are the way they like to see it. And that's exactly what it is. And the Parks Foundation is doing a wonderful job as far as raising money, we've had this conversation with them. And we had some rough spots. But that's between the old administration and the new administration. So we're fixing that at this point. So all your questions will be

answered. And if you come to committee meetings, you'll probably be much happier once you do.

PRESIDENT MARTONI: Thank you. Mr. Gastgeb?

MR. GASTGEB: I apologize for being long and I appreciate your indulgence. Again, my motion to table spoke nothing of the Foundation. I mean, I'm speaking in glowing terms of the Foundation. Everything to do with the project is in the process. And let me put it another way, Mr. Burn and I have talked about this because we've been on this Council a while, we have to make an ordinance at the end of the day in some fashion, whether it's conditional use, whether it's appropriation, I get that. But how many times does that ordinance come before us without the authorship that we want. Sometime it's the 11th hour, and we haven't seen that under this Executive, and that's great. We all know that why have the first reading so far detached from how we think it's actually going to end up, that's all I'm saying. Why put ourselves in a position where the wheel starts turning when we're sitting here and it's like, oh, here it is. We went through that with the Health Board years ago. They're writing rules and they're coming to us and it's like, well, you might as well just approve with no say so. So I'm just trying to avoid that. I'm trying to be thoughtful in that approach. Thank you.

PRESIDENT MARTONI: Thank you very much. Yes, one more. Go ahead.

MR. PALMIERE: Thank you. I just want to thank all you colleagues here this evening for supporting us. And we just have nothing but good intentions and we're hoping that all these issues will be resolved in a fair and equitable manner. And we will work diligently to see that that happens. Thank you very much.

PRESIDENT MARTONI: I have no doubt that it will be correct. Go ahead.

MR. ROBINSON: Thank you, Mr. President and members of Council. Unlike Mr. Gastgeb, I do not apologize for being long-winded.

PRESIDENT MARTONI: And you never do.

MR. ROBINSON: No, sir, that's just me. I'll try to be briefer.

PRESIDENT MARTONI: That would be very difficult.

MR. ROBINSON: Yes, sir. I would hope that members don't lose the essence of my concern, financial.

A lot of good things are being done. A lot of good people are working on behalf of improving our parks. We need to have an accounting financially for what is going on. And the County proper, the Council and the Executive, need to be a part of that process. I appreciate Mr. Futules and Mr. Palmiere and Mr. Fitzgerald's efforts to help clarify what the relationship should be between the County proper and other entities that are interested in improving our parks. Hopefully, that concern extends not only to transparency but to accountability, the money.

Where is the money? Who has the money? Who's authorized to spend the money and is the money audited? Is the money in a bank, is it in a credit union, is it in somebody's pocket? Is it a pledge or is it actually dollars coming to the County proper or going to some other entity that we might not be able to legally audit? I don't think we ought to be involved in any arrangements as they relate to our parks where we don't have transparency on behalf of our constituents and full financial accountability. My concerns are financial. My concerns are budgetary. And I think all of you sooner or later you're probably going to appreciate this concern that I have, particularly as we get to forming our budget. How does all this fit into a shaping of budget 2013 and beyond? Thank you, Mr. President and members of Council.

PRESIDENT MARTONI: Thank you, sir. 7110-12.

MR. CATANESE: A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2012, Submission 12-10. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Send to Committee on Budget and Finance. New Business, Motions.

MR. CATANESE: We have none.

PRESIDENT MARTONI: Notification of Contracts. We have three here. 7111-12, 7112-12 and 7113-12.

MR. CATANESE: Communication from former County Manager, Jim Flynn, and former Acting County Manager, Jennifer Liptak, submitting Executive Actions related to contracts for the months of May, June and July of 2012.

MR. FINNERTY: I make a motion to file.

MR. GASTGEB: Second.

PRESIDENT MARTONI: Motion to file. Questions? All in favor?

(ALL RESPOND AYE).

PRESIDENT MARTONI: So moved. Public Comment on General Items.

MR. ELLENBOGEN: Mr. President, point of privilege, please?

PRESIDENT MARTONI: Yes, please.

MR. ELLENBOGEN: I just want to say going back to Mr. Gastgeb's and Mr. Palmiere's issue with South Park that, you know, I'm proud to be on this Council because, you know, we all have our political differences, but when it comes down to what it's really about, it's us trying to do the right thing for the people of the county, and I can't remember a time and I've only been on this Council five years where Democrats and Republicans thought, you know, this is what's best for the people of Allegheny County. And I think that that says it all, that we're about trying to do the right thing. And like I said, I think it's very important for the public to see that. Thank you.

PRESIDENT MARTONI: Thank you. Public Comment on General Items. We have two speakers. Is there a Jennifer, Richard, Kelsey Nix here? I don't see that person. Okay. Harry, you're up. Harry Liller.

MR. LILLER: My name is Harry Liller, 438 Ruxton Street, Pittsburgh, PA. I am here to speak out about correspondence and legislation concerning the Civilian Police Review Board. I am in favor of it. Right now there are five police chiefs in Allegheny County in jail now for committing criminal acts. The police chiefs of West Homestead, Wilkinsburg, West Mifflin, Edgewood, Rankin are all in jail now for committing criminal acts. We have a Brentwood police officer named John Vojtas gets away with murdering two people. He put the gun in Judith Barrett's mouth, pulled the trigger. He was the one beating on Jonny Gammage 'til he bit him. I'm surprised this Council didn't give him an award for getting away with murder. We have a South Fayette police officer goes into Castle Shannon and accepts a pound of cocaine from the FedEx. I'm not making this up. The last two county sheriffs had criminal records. Gene Coon pulls out a rifle and shoots at his neighbor. I view that as attempted murder. But the Allegheny County Sheriff doesn't. Slap on the wrist.

The last county sheriff was convicted of macing, but when you threaten union workers for campaign contributions totaling \$249,000 which is a quarter of a

million dollars that the sheriff put in his pocket, that is extortion. It's amazing what goes on in this county and city because the media protects them. My sister was sexually abused, beaten in the face with a blackjack and got death threats. The media never tells you that. She was part of the ACLU lawsuit for police brutality. The Post Gazette in the Sunday paper said that the Pittsburgh Police won four of the five cases. They're lying pigs. The Pittsburgh Police lost four of the six cases. We can't even have the Post Gazette tell the truth. So please tell your boss to tell the truth once in a while. I'm sorry for getting bothered, but I'm going to bother you for another ten minutes --- ten seconds. So bring it out the committee so I can talk about it at the beginning of the agenda so you don't spend a half hour BSing about South Park. I grew up in South Park. Bob Cander (phonetic) screwed it over and you guys are screwing it over. I'll be back next week.

PRESIDENT MARTONI: Do we have a motion for adjournment?

(Chorus of motions)

(Chorus of seconds)

PRESIDENT MARTONI: All in favor? So moved.

MEETING ADJOURNED AT 6:20 P.M.

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF ALLEGHENY)

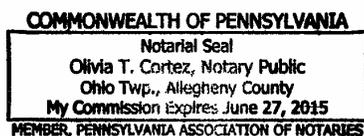
CERTIFICATE

I, Olivia t. Cortez, a Notary Public in
and for the Commonwealth of Pennsylvania, do hereby
certify:

That the witness whose testimony appears
in the foregoing deposition, was duly sworn by me
on said date and that the transcribed deposition of
said witness is a true record of the testimony
given by said witness;

That the proceeding is herein recorded
fully and accurately;

That I am neither attorney nor counsel
for, nor related to any of the parties to the
action in which these depositions were taken, and
further that I am not a relative of any attorney or
counsel employed by the parties hereto, or
financially interested in this action.





Court Reporter