

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
Amanda Green Hawkins	-	District 13

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

Tuesday, October 4, 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
Jack Cambest - Solicitor

PRESIDENT BURN: Good evening. I would like to call the regularly scheduled meeting of the Allegheny County Council scheduled for Tuesday, October 4th, 2011 to order. On behalf of myself and my colleagues, thank you all for being with us. If you could please join us now together for the Pledge of Allegiance and then followed by a moment of silent prayer and/or reflection.

(Pledge of Allegiance.)

(Moment of silent prayer and/or reflection.)

PRESIDENT BURN: 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?

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: 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: Fifteen (15) members present.

PRESIDENT BURN: Proclamations and certificates.

6514-11.

MR. CATANESE: Proclamation designating the month of September 2011 as Prostate Cancer Awareness Month

in Allegheny County. Sponsored by Council Members Burn, Martoni, DeFazio, Kress, Danko, Drozd, Ellenbogen, Finnerty, Futules, Gastgeb, Green Hawkins, Macey, Palmiere, Rea and Robinson.

PRESIDENT BURN: Thank you, Mr. Catanese. We held this. It was scheduled for 9/20/11. Unfortunately, our recipients were unable to attend. I believe they are here today; is that correct? Yes. If you'd like to come up, sir. I would like to say a few words about the proclamation, its significance and the fact that last month was Prostate Cancer Awareness Month. As many of you know and I'm sure you would attest to, it is the most common type of cancer found in American men other than skin cancer. It is the second leading cause of cancer death in men behind only lung cancer. One in six adult men will get prostate cancer during his lifetime. One in 36 will die of the disease. More than 2,000,000 men in the United States who have had prostate cancer at some point are still alive today. It's about prevention. It's about communication. It's about not being afraid to have those routine checkups. Do it in a consistent fashion because I would suggest and studies have shown that most of those who are survivors of this type of cancer are those who engaged in early screening and detection.

So I'd like to thank you on behalf of my colleagues and the residents of Allegheny County for your leadership in this effort to bring awareness to this treatable form of cancer. And with your permission, sir, on behalf of my colleagues and myself, I would like to read into the record at this time our proclamation.

Whereas, the American Cancer Society reports that prostate cancer is the second leading cause of cancer-related deaths among men in this nation.

Whereas, this year more than 240,000 new cases of prostate cancer are projected to be diagnosed in the U.S., and more than 32,000 Americans will die as a result.

And whereas, early detection and screening for prostate cancer are vital in combating this disease, especially for men more than 50 years of age, African-American men and men with family history of prostate cancer as well.

Whereas, with early detection, the five-year relative survival rate for men with localized prostate cancer is 100 percent.

And whereas, greater public awareness and education about prostate cancer is necessary to help protect the health and welfare of men.

Now, therefore, be it resolved that the Allegheny County Council does hereby proclaim the month of September 2011 as Prostate Cancer Awareness Month in Allegheny County. Furthermore, be it resolved that Allegheny County Council does hereby encourage all citizens, government agencies, private businesses, non-profits and other groups to join in activities that will increase awareness and prevention of prostate cancer. Sir, on behalf of my colleagues and the residents, the Chief Executive and the business owners of Allegheny County, thank you so much for your leadership in this regard. This is a well-deserved proclamation. Congratulations.

(Applause.)

UNIDENTIFIED SPEAKER: On behalf of the American Cancer Society and the 12,000,000 survivors that are alive today because of various treatments and particularly early detection, we thank you very much for raising this awareness. And we'd like to also indicate that in terms of the American Cancer Society, we present a rather interesting economic development opportunity here in Allegheny County in that over \$12,000,000 of the \$130,000,000 annually that is raised by the society for research takes place right here at the University of Pittsburgh, Magee Women's Hospital and also at Carnegie Mellon. So again, in terms of the society, we send our sincere appreciation and thank you for this proclamation.

(Applause.)

(Pictures taken.)

PRESIDENT BURN: 6534-11.

MR. CATANESE: Proclamation honoring the Federation of War Veterans Societies, Incorporated for providing a Veterans Day Parade to Pittsburgh and Allegheny County and naming November 11th, 2011 as the Federation of War Veterans Societies, Incorporated Day in Allegheny County. Sponsored by Council Members Finnerty, Burn, Danko, DeFazio, Drozd, Ellenbogen, Futules, Gastgeb, Green Hawkins, Kress, Macey, Martoni, Palmiere, Rea and Robinson.

MR. FINNERTY: Thank you, Mr. President. I'd like to call up Mike Bookser, who's the Federation

Commander, and he's going to call the rest of the gentlemen up, Tony and Nick and everyone.

MR. BOOKSER: Thank you for having us here today. I would like to bring up our Parade Chairman, Nick Viglione, Commander, Federation of War Veterans Societies, our Adjutant/Commander, Tony Filardi, our Chaplain, past commander of the Federation, Paul Platek and World War II Veteran of the Polish Underground --- and I'm sorry if I mess this up --- Julian Jarvis.

(Applause.)

MR. FINNERTY: This is our attempt to say thank you and support you as you go on. We really appreciate your service and what you've done for our country, and we wouldn't be here today without you. And we thank you very much. Let me read the proclamation.

Whereas, the Federation of War Veterans Societies, Inc. was founded in 1919. Its purpose was to partner annually with Allegheny County to provide a Veterans Day Parade in downtown Pittsburgh.

And whereas, the Federation of War Veterans, Inc. has organized and presented the Veterans Day Parade in Allegheny County for 92 years.

And whereas, more than 1.2 million Pennsylvanians are veterans, comprising 14 percent of the state's population. A great percentage of those veterans reside in Allegheny County and attend the commemorative parade.

And whereas, this Veterans Day Parade also honors all of the active military personnel who are sacrificing their time and effort so our nation maintains its freedom.

And whereas, the organization educates Allegheny County residents to properly recognize and care for our veterans. Through the parade, the group raises awareness of all veterans in our state.

Now, therefore, be it resolved that Allegheny County Council, on behalf of the citizens of Allegheny County, hereby commends the Federation of War Veterans Societies, Inc. for consistently conducting and organizing the Veterans Day Parade and for raising awareness of our veterans. For the organization's effort, we hereby declare Friday, November 11th, 2011 as the Veterans of War Veteran --- I'm sorry --- Federation of War Veterans Societies, Inc. Day in Allegheny County. This is

sponsored by all Council members and presented the 4th day of October, 2011.

(Applause.)

MR. FILARDI: Thank you very much to Mike. And I want to thank all the Council members for this proclamation for the Federation of War Veterans Societies. It is a little early, but this year November 11th, Friday will be the parade, and there's going to be a new route. And the route will be staging down there around the Greyhound Bus Station at Liberty Avenue and Grant Street. All the Council members are invited to participate. So show up at that area there, and you can march right along with us. And it's going to proceed down to Grant Street. Right now the parade is going to go down to the Boulevard of the Allies, and it will go all the way down to Stanwix Street. But the reviewing stand would be --- which is situated right on the boulevard and Stanwix Street.

I wrote a letter to the --- e-mail to the Mayor asking him to change the route. We want to go down Fifth Avenue. We always like to go down Fifth Avenue because we get better participation from the public. And hopefully that change could be made. So right now the permit says the other way, so we have to go along with what the permit says. But hopefully by November 11th, we might get it changed. But the staging area won't be changed. That will still be down at the Greyhound Bus Station. And that's due to all that stuff that's going on at the Civic Arena area, so it would be difficult to stage a parade up there.

Again, I'd like to thank all the members of Allegheny County Council for the proclamation. And spread the word and put it on the county website. Let everybody know that the veterans would like to have a great parade. And if we can get advertisement for the parade --- because I get a lot of phone calls. People don't know that there's a Veterans Day Parade. So we've got to let them know. And we don't have that type of advertising revenue from the Federation in order to publicize it, so we need the help of others to do this publicizing. Again, thank you. Anybody else want to say something?

UNIDENTIFIED SPEAKER: Thank you for your continued support.

(Applause.)

MR. FINNERTY: We have a veteran here also.

MR. DROZD: Yeah. Gentlemen, I agree with you. You know, I think ---.

MR. FINNERTY: Mr. Drozd --- hang on, Mr. President. One second, please.

MR. JARVIS: I wanted to thank all the Council people here in Allegheny County and also for helping us put this parade on. And I've been working with this parade for the last 40-some years. I'm a World War II veteran. And it's a great pleasure to be able to work with these other veteran groups that I have worked with and a great pleasure that we have outstanding veterans coming up with us. And they say that we are the greatest generation of World War II, but I still say that the greatest veterans is the ones that are coming up now. They're coming up fighting these other wars. So I want to thank everybody, and we'll see you. We'll try to get Grant Street --- I mean, Fifth Avenue. I've been fighting with City Hall. Thank you.

(Applause.)

MR. FINNERTY: Tony, you definitely will get that on the website for sure.

PRESIDENT BURN: We have a veteran up on our Board, Mr. Drozd.

MR. DROZD: And Mr. Martoni.

PRESIDENT BURN: Mr. Martoni, my apologies.

MR. DROZD: I'd like Council to join me. I agree with them that, you know, we have to showcase our veterans. They shouldn't have to march in the back. They should march right down the front main street. And we need to send a letter of it. I ask you to join me in sending a letter, a strong message to the City Council and to the Mayor to change that parade route. Let them use the main where they belong, and that's Fifth Avenue; is that correct? That's where you want? Let's do it. What do you say?

MR. MARTONI: Let's do it.

PRESIDENT BURN: We'll do it.

(Pictures taken.)

PRESIDENT BURN: 6535-11.

MR. CATANESE: Proclamation recognizing Mrs. Carmella E. Mullen for her volunteer service benefiting veterans. Sponsored by Council Members Martoni, Danko, Drozd, Ellenbogen, Gastgeb, Green Hawkins, Kress, Palmiere, Rea and Robinson.

MR. MARTONI: I am presenting a proclamation to a young lady. This is really a perfect time for this because this is a person who spent many, many days, many, many hours and many, many years working for veterans and veterans' organizations. And besides that, she's in my district, too, and we're neighbors. Okay. That has nothing to do with it but it helps. Okay. I want to read the proclamation, and Mr. Gastgeb has some other things, a letter from some very important person to read also.

Whereas, volunteers within Allegheny County dedicate tirelessly to serving and assisting the community.

And whereas, Mrs. Carmella E. Mullen of Braddock has been volunteering to benefit the welfare of veterans in Allegheny County for nearly 20 years.

And whereas, Mrs. Mullen has served as a volunteer for Vietnam Veterans Incorporation, the VA Pittsburgh Healthcare System, the Veterans Leadership Program of Western Pennsylvania and the Shepherd's Heart Veterans Home of Pittsburgh.

And whereas, Mrs. Mullen has helped organize the VVI Prisoners of War, Missing in Action, POWs, MIA vigil held each year at Soldiers and Sailors Memorial Hall and Museum. She also works with the Friends of Danang in a volunteer group that aims to build a better understanding between the citizens of Pittsburgh, Pittsburgh, Pennsylvania and Danang, Vietnam regions.

And whereas, Mrs. Mullen has served as a liaison to the Western Pennsylvania Chapter of the Tuskegee Airmen Incorporation established to honor the first African-American military aviators from western Pennsylvania that served in World War II.

Now, therefore, be it resolved that Allegheny County, on behalf of the citizens of Allegheny County, hereby recognizes and commends Mrs. Carmella Mullen for her 20 years --- 20 years of volunteer service to America's veterans. Mrs. Mullen's volunteerism is an inspiration to all citizens, and this Council thanks her for her dedication and commitment to serving veterans and their families. Sponsored by a whole lot of us in Allegheny Council. Right now I want Mr. Gastgeb to say a few words, and he has something to read.

MR. GASTGEB: Thank you, Chuck, for allowing me to be here and honor Carmella. The list of the volunteerism she conducts with the veterans is just

unlimited. And I think also what's important is her energy and her drive. It doesn't matter if it's one of the numerous groups that you've mentioned. She's driven to help veterans, so it's appropriate that we're talking about the Veterans Parade and honoring our veterans. I also witnessed Carmella in her civic service towards other aspects, certainly her community, active with the trade union, and it goes on and on. And I think when you're the type of person that she is and you're out doing a lot of volunteerisms, you get noticed. And Chuck, thank you for allowing me to read this. This is from the Office of the Governor, Harrisburg, Pennsylvania.

Dear Ms. Mullen, it is with great pleasure that I appoint you as a member of the Court of Judicial Discipline. Your commission and oath of office is being procured by the Department of State and will be mailed to you promptly. The commission issued under my signature and the great seal of the Commonwealth of Pennsylvania memorializes your appointment. The oath of office is required by the Constitution of Pennsylvania to be taken by all civil officers. It is important that you act promptly to swear and subscribe this written oath of office. This is sent with my best wishes and success in your new responsibilities and appreciation for your dedicated service to the Commonwealth.

I mean, it's somewhat amazing that the Governor of the state would single out Carmella but not to us that know her. So again, it's just another one of the many civic things that she does. So I want to add this to Mr. Martoni's. And Carmella, congratulations on all your efforts and all you do for this county.

(Applause.)

MRS. MULLEN: Thank you. This is truly a surprise. Growing up in a family of veterans, I'm blessed and honored to know how the sacrifices of veterans are and especially with wartime going on right now. So whatever little I can do to contribute to help families and veterans, I will be there. Thank you.

(Applause.)

(Pictures taken.)

PRESIDENT BURN: 6536-11.

MR. CATANESE: Proclamation congratulating Mr. John L. Tarka, Sr. upon his retirement as President of the Pittsburgh Federation of Teachers. Sponsored by Council Members Robinson, Burn, Danko, DeFazio, Drozd, Ellenbogen,

Finnerty, Futules, Gastgeb, Green Hawkins, Kress, Macey, Martoni, Palmiere and Rea.

MR. ROBINSON: Thank you, Mr. President and members of Council. Certainly those of us who know John recognize that this is a small tribute. A much larger tribute and celebration is going to be held on October 15th as John I guess you could say officially retires. I had occasion to meet John when I was a state legislator. And at that time, Al Fondy was president of the Federation. And I had the honor of serving on a commission in Harrisburg that dealt with urban education, how this commission could recommend to the Legislature and the Governor reforms in urban education.

And while John was not on that commission, Al Fondy was. I had the occasion to observe John as he supported Al in his efforts. I had a chance to learn more about Al and John. And certainly I developed a high respect for both these gentlemen. And what I found out most about John was that what he tells you in private and what he tells you in public, I've always known him to be a gentleman, straightforward, hard working and well respected. And whether you agree with all his public positions, I don't think any of us can find pause in terms of his character and his integrity in representing the members of his union and serving his community.

And I look forward on October 15th not only to hearing people say good things about John Tarka, but to talk about his character and his integrity and know what they're saying is true. Mr. Tarka has served Pittsburgh Federation of Teachers as president since 2005. And he's worked in the Pittsburgh Public School District with the union for a combined 43 years. He was instrumental in negotiating a landmark labor agreement in 2010, which included performance-based pay and the new teacher evaluation system that incorporates student achievement. These were two things that were discussed when his predecessor and I served on that Urban Education Committee. And I'm glad to see that John was able to follow through and get the cooperation that he needed to make it happen.

This agreement helped the district secure \$40,000,000 in a grant from the Bill and Melinda Gates Foundation. And under John's leadership, the Pittsburgh Public Schools and the Pittsburgh Federation of Teachers drafted the Empowering Effective Teachers in the

Pittsburgh Public Schools plan to support and empower effective teaching, again, one of those ideas that came out of that Urban Commission. So John must have been eavesdropping or he had a lot of conversations with Al Fondy, the things that really help our public school system here in the City of Pittsburgh, and in many respects, some groundbreaking work. And I think much of this work relies on the whole notion that teachers and teachers' unions are not interested in education reform. John Tarka is an example that that is far from the truth, and I thank him for his legacy that he's leaving here in Pittsburgh.

John, if you'll come forward. I want to read this proclamation. And at the appropriate time --- bring your wife with you. John's wife is the reason he didn't serve on that commission. She said, you better not, so he sent Al.

Whereas, Mr. John Tarka has dedicated 43 years of his life to education and union representation, working for the Pittsburgh Federation --- I'm sorry --- Pittsburgh Public School District and the Pittsburgh and Pennsylvania Federation of Teachers.

And whereas, Mr. Tarka began his career as a teacher of English and speech at Westinghouse High School and later as head of the English department at Schenley High School Teachers Center.

Whereas, Mr. Tarka has served in numerous leadership roles with the Pittsburgh Federation of Teachers, acting as the organization's president since 2005 and as a member of the Executive Board for nearly 30 years, just to name a few.

And whereas, Mr. Tarka has served as Executive Vice President of the American Federation of Teachers, Pennsylvania, and Vice President of the Pennsylvania AFL-CIO, and at the national level, he is a member of the AFL --- AFT's No Child Left Behind Task Force and the AFT's Teachers Program and Policy Council.

And whereas, under Mr. Tarka's leadership, a landmark labor agreement was reached between the Pittsburgh Public Schools and the Pittsburgh Federation of Teachers, which helped the district to secure a \$40,000,000 grant from the Bill and Melinda Gates Foundation for Pittsburgh's Empowering Effective Teachers Project to support and empower effective teaching.

Now, therefore, be it resolved that Allegheny County Council, on behalf of the citizens of Allegheny County, hereby congratulate Mr. John Tarka for his well-deserved retirement as president of the Pittsburgh Federation of Teachers. This Council thanks Mr. Tarka for his service to Pittsburgh and Allegheny County, and we wish him all the best. Sponsored by Allegheny County Council and presented on this 4th day of October, 2011. Two of my colleagues are here, Mr. DeFazio and Mr. Finnerty, and I know they wouldn't want this occasion to pass without having comments. Since Mr. DeFazio is older than Mr. Finnerty, Mr. DeFazio will go first and then Mr. Finnerty.

MR. FINNERTY: Thank you. I appreciate that.

MR. DEFAZIO: You're allowed to lie once in a while. Okay. I don't want to say too much. I just want to say that John did a terrific job representing the teachers, and I'd be proud if he'd be able to come up and say a few words. Good job.

MR. FINNERTY: I just wanted to say congratulations, John. And I was president of the Chartiers Valley Federation of Teachers, and I know you from different talks. And one thing Mr. Robinson said actually hits it right on the nail. What John tells you, John does. And more than being a union leader, John always, always had the students above us and he did a great job. John, thank you for your many years of service.

(Applause.)

MR. ROBINSON: I'm going to give Mr. Tarka an instruction to save him pain later on. When you come up here, the first thing you do is introduce your wife. Tell us what a great aide and support she was, and tell us the true story why she wouldn't let you serve on that commission. Mr. John Tarka.

(Applause.)

MR. TARKA: I've been married long enough to know that I certainly would not forget to introduce my wife. President Burn, Vice President Martoni, colleagues and friends on the Council, I'm pretty honored to be here today and receive this very generous recognition. I've had the privilege of working with the 3,500-member Pittsburgh Federation of Teachers since 1968. And it's been my honor to be a part of that union and work with people like Al Fondy, Joe Zunic, Rufus Jordan, Paul

Francis, Nancy Ewing and so many others. I bring greetings to you today from new president Nina Esposito-Visgitis, who would be here to represent the Federation of Teachers except she's in Washington, D.C. on AFT, American Federation of Teachers business and could not be here. As you know, we are affiliated with the American Federation of Teachers. I'm also very proud, too, that our union has always been affiliated with the Allegheny County Labor Council, President Jack Shea and AFL-CIO and the State President, Rick Bloomingdale, members of those organizations.

Thank you very much for pointing out, too, the fact that those of us in the PFT never ever hesitated to say that we are very strong and supportive and worked for our members' benefits and salary and working conditions. We don't hesitate to say that's a primary objective of ours. We've also been very, very clear, too, that we know that schools have to succeed and our children, our young adults have to succeed if the city and the county are going to succeed. So we made it be one of our high priorities that the children and young adults in Pittsburgh and Allegheny County --- I know other union locals believe that, too --- are able to complete their schooling, to graduate and become contributing members of our society of Allegheny County.

I know you know we have over 40 school districts in Allegheny County. And these are tough times. All those school districts in one way or another have been impacted by budget cuts. And I'm going to thank you for the work that you're trying to do to send a clear message to Harrisburg and to Washington that there's no institution more important in our county and in our state than our public school system in terms of providing strong education and preparing for the future, than working with our public schools and making sure that they're properly supported. Thank you for the work you're doing, and we urge you to continue that kind of work. We know how important it is.

My wife and I were married in 1967, and we've been together for 44 years. And I think that's a remarkable accomplishment. It speaks to her patience. Perhaps even more significantly is that I've been retired now for five weeks, and we're still married, so I'd be remiss if I didn't thank her for the years of loving support. She does a pretty good job of keeping me in

line, which I think is an easy job. I simply could not have the good and rich life I have without my wife, Jean. I thank you for your time.

(Applause.)

MR. TARKA: Once Jean and I were married, we moved to Allegheny County, and we've lived here for 44 years. And we love it in Allegheny County. We have no intentions of moving anywhere else. I still sometimes am itching for a fight. If there's any way I can help this Council in terms of work you're trying to do to help promote and make Allegheny County even better than it is now, I'm telling you right now I'm a phone call away. I'll be glad to support the efforts of the Council in any way that you would find necessary. Again, you honor me. Thank you so much.

(Applause.)

MR. ROBINSON: As you notice, he didn't delve into that story about why he couldn't serve on that commission.

MR. TARKA: We'll leave that alone.

MR. ROBINSON: All right. Thank you, everybody.

PRESIDENT BURN: Mr. Ellenbogen?

MR. ELLENBOGEN: I just wanted to say in the small community between Green Tree Road and Banksville Road, there must be something in the water, because it's such a small community. We've had people --- Bill had mentioned Al Fondy, the late Sheriff Hoon, Chief Justice Cappy and John, all in a real small neighborhood, just to mention a few. So I just want to say, John and his wife, Jean have been my neighbor, and I'm very grateful to have known them. One thing I always liked about John is you may not always agree with him, but he's going to tell you what he thinks. And as a leader, he's always, I believe, served the school district well and has never been an embarrassment to anyone. He's been a true leader and always carried himself with dignity. And I just want to congratulate him and his wife. Thank you.

MR. TARKA: Thank you.

(Applause.)

(Pictures taken.)

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

MR. CATANESE: 6537-11. Proclamation congratulating the Omega Psi Phi Fraternity upon its 100th anniversary. Sponsored by Councilman Robinson.

6538-11. Proclamation honoring the Reverend Dr. J. LaVon Kincaid, Sr. upon his 50th pastoral anniversary with the United Methodist Church. Sponsored by Councilman Futules.

6539-11. Certificate of Achievement honoring Michael L. Byrne of Boy Scout Troop 905 for earning his Eagle Scout ranking. Sponsored by Councilman Drozd.

6540-11. Certificate of Achievement honoring Daniel C. Szabat of Boy Scout Troop 905 for earning his Eagle Scout ranking. Sponsored by Councilman Drozd.

6541-11. Certificate of Recognition honoring the 50th anniversary of Edward and Doris Stepanik. Sponsored by Councilman Macey.

6542-11. Certificate of Recognition honoring the 50th anniversary of Jim and Carolyn Svec. Sponsored by Councilman Macey.

PRESIDENT BURN: Public comment on agenda items.

MR. CATANESE: We have none.

PRESIDENT BURN: Approval of Minutes. 6543-11.

MR. CATANESE: Motion to approve the minutes of the September 6, 2011 regular meeting of Council.

MR. ELLENBOGEN: So moved.

(Chorus of seconds.)

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

(Chorus of ayes.)

PRESIDENT BURN: The minutes are approved.

Presentation of appointments.

MR. CATANESE: We have none.

PRESIDENT BURN: Unfinished business. Committee on Budget and Finance, second reading. 6486-11.

MR. CATANESE: A resolution of the County of Allegheny amending the 2011 capital budget for Allegheny County. Sponsored by the Chief Executive.

PRESIDENT BURN: Mr. Robinson?

MR. ROBINSON: Thank you, Mr. President and members of Council. With your leave, Mr. President, I'd just like to mention that this bill before us today is part of a process that the Budget and Finance Committee put in place to hold a portion of the monies that are designated for the reapportionment process here in Allegheny County until such time that the Administration came back to us and gave us a report. That report was presented at our last Budget and Finance Committee meeting. Those members who were present had an

opportunity to answer whatever --- ask whatever questions they wanted, and we got some answers from the Administration. The committee did not find any reason not to, at that time, approve the remainder of the money being released. So the bill that's before you, 6486-11, represents our action, and I move for approval.

MR. MARTONI: Second.

PRESIDENT BURN: Moved, second. Any discussion? Mr. Drozd, followed by Mr. Gastgeb.

MR. DROZD: I'll defer to my colleague first, Mr. Gastgeb, and I'll follow him.

PRESIDENT BURN: Thank you. You defer? All right. Then Mr. Gastgeb, followed by Mr. Drozd.

MR. GASTGEB: Thank you for the deferment. Mr. Robinson, I just want to make sure --- I think maybe I misheard, but I think you said this was for the reapportionment.

MR. ROBINSON: I'm sorry. I apologize. Property assessment. I'm sorry. I apologize.

MR. GASTGEB: So I guess my question is ---. I've always been opposed to how we're paying for the assessment being that it's coming from the capital budget. And I'll admit that the budget is tight, you know. It could be argued maybe it doesn't matter which way. It's going to be tight either way. But is the final installment?

MR. ROBINSON: Yes. Let me hold that and go back. This is the final installment of the money that we originally approved. In our discussions, Ms. Griser indicated that if additional monies were needed, they would be requested. The bill before you only speaks to what our commitment was to get this process moving and hopefully bring it to conclusion. But I would say members need to stand ready because you may see another bill in the future that relates to the property assessment issue.

MR. GASTGEB: Thank you, Mr. Robinson. I guess from my standpoint, this becomes a hard vote because obviously, we're under court decree to move forward with the assessments. I think from there, there's varying opinions on what that means. We have people running for Chief Executive with different viewpoints. And there may be 15 different viewpoints up here. I'm not sure.

I guess what I find somewhat hard to swallow is that this body was instrumental with the first go-around with creating a process. And part of that process was you

had a year buffer. We allowed people to file an appeal, understand what the process was a year before any consequences were going to take place. And probably there's no fault with anybody. It just isn't happening in the same manner. So I feel like I'm allocating money for something that I'm not even going to have any authorship over, so it does get hard. I voted against the capital budget for this reason initially, and I just want to make sure that I was making my sentiments known for this particular debate. Thank you.

PRESIDENT BURN: Mr. Drozd?

MR. DROZD: Not to be hypocritical, but I'm going to abstain on this vote because, as you know, I voted and was, I think, the only Council member that voted against the capital budget for two main reasons. First of all, I voted on behalf of all our constituents, the majority of our constituents, that are opposed to spending monies on the North Shore Connector. Secondly, I have roads, particularly one that I can think of that is still caved in, and it's not allocated in the budget. And I've been told for many years it would be repaired. It still is not repaired. So I would be hypocritical to vote for this amendment. I'll abstain voting for this amendment because of that, because I did not vote for the capital budget. Thank you, ladies and gentlemen. Thank you, my fellow Council members.

PRESIDENT BURN: Mr. Gastgeb?

MR. GASTGEB: Yeah. I'd like to respond to that. I don't think Mr. Drozd was the only one who voted against the capital budget.

MR. DROZD: Oh, I'm sorry.

MR. GASTGEB: I think there was more than two or three of us. But one of the reasons I would vote no has nothing to do with the capital budget. I commend this Council and Administration for everything they do with the capital budget. It's strictly one thing tonight, and that's reassessments. Thank you.

PRESIDENT BURN: Any other discussion? One more time, Mr. Drozd.

MR. DROZD: Yeah. My apologies. That's correct. And I was not the only one, as I recall now. Yeah. I have other reservations, as expressed by my fellow councilman, Councilman Gastgeb, besides the fact that I'm abstaining on this tonight. I concur with him. Thank you.

PRESIDENT BURN: Yes, sir. Any other discussion? Any other discussion? Any other discussion? Seeing no discussion, please call the roll.

MR. CATANESE: Ms. Danko?
MS. DANKO: Aye.
MR. CATANESE: Mr. DeFazio?
MR. DEFAZIO: Yes.
MR. CATANESE: Mr. Drozd?
MR. DROZD: Abstention.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: Aye.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: Yes.
MR. CATANESE: Mr. Futules?
MR. FUTULES: Yes.
MR. CATANESE: Mr. Gastgeb?
MR. GASTGEB: No.
MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. CATANESE: Mr. Kress?
MR. KRESS: Yes.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: Yes.
MR. CATANESE: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. CATANESE: Ms. Rea?
MS. REA: No.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. Burn, President?
PRESIDENT BURN: Yes.

MR. CATANESE: Twelve (12) yeses, two noes and one abstention. It passes.

PRESIDENT BURN: 6530-11.

MR. CATANESE: A resolution of the County of Allegheny amending the 2010 capital budget for Allegheny County. Sponsored by the Chief Executive.

PRESIDENT BURN: Mr. Robinson?

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

(Chorus of seconds.)

PRESIDENT BURN: Moved, second. Any discussion? Any discussion? Any discussion? Seeing no discussion, please call the roll.

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: Mr. Kress?
MR. KRESS: Yes.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: 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. Burn, President?
PRESIDENT BURN: Yes.
MR. CATANESE: Ayes 15, noes 0. The bill

passes.

PRESIDENT BURN: Liaison reports. Mr. Drozd, Mr. Finnerty.

MR. DROZD: Yes. Thank you, Mr. President. I do have a liaison. I received this e-mail from the County Commissioners Association of Pennsylvania, which I'm a member of. But this is very critical and very important to my fellow Council members, to our municipalities and to our county. What they sent me was --- attached are the outlines the media releases distributed today by the Governor's Office concerning his proposal for regulation

of the Marcellus Shale. If you haven't seen this, I'll refer this to you. You'll have it in your e-mail. Including his proposed impact fee. The fee keeps 75 percent of the revenues local and has a number of elements the counties have advocated, county and municipal distribution or allowable uses. But as you will note, this structure has a discretionary county levy, discretionary, something on which our committees have not yet previously taken position and now have under expedited review. We have to keep a watch on this. In fact, we have to formulate our own.

I would suggest, in watching this, this is very important to us. These are two things. Those fees, any fees, should stay in those areas, especially in southwestern Pennsylvania, for southwestern Pennsylvania has the most impact in our roads, our bridges and our people. And our people should share in those revenues. They should share in those revenues. A lot of these, let me remind you, are going out of state. The revenues and the gas are going overseas. They're now lobbying Congress to send a lot of that gas overseas to lift the ceilings. We have to be aware of this. We have to protect our resources for the people of Allegheny County, and we need to share --- more than share. We should get one of the biggest shares within this county and within this region, not just us, but our surrounding counties. And we have to watch this very, very closely. Please join me in this when we do this in the future. And this will alleviate, I hope to think, the tax burden on the people of Allegheny County, as well as those counties that surround us where that Marcellus Shale goes right through. Thank you.

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

MR. FINNERTY: Thank you, Mr. President. I just wanted to relay some information. I hope you take a look in your mailboxes, and you also should have gotten it electronically. Last week, the 2010 TIF and letter reports were presented at the Economic Development and Housing meeting, so you should have received that. So if you do have any questions in regard to that, you can contact me and I'll answer them for you. Thank you.

PRESIDENT BURN: Thank you. Mr. Gastgeb?

MR. GASTGEB: Thank you, President Burn. Yesterday I was able to attend actually two events. One was the Parks Foundation was announcing some of the

signature projects which are all known to us, as we provided the funding match. In particular, one of my districts in South Park, which will have the Montour Trail connect from the trail into South Park. And State Senator John Pippy was there with the grant. Chief Executive Onorato had our matching grant. And the foundation also raised some money. And Chairman John Surma spoke to the private and public partnerships. So from my perspective, it looked real well. I mean, you have a signature project that was basically chosen for the vision and the popularity of it, and it's fully funded. So to me, kudos to this Council and the Executive Administration for making it work.

The second event I had a chance to go to --- I guess I still did work yesterday --- was Governor Corbett invited me to an announcement on the Marcellus Shale. And it was at the Carpenters Training Center, Carpenters Union Training Center off of Parkway West. And I wasn't sure what to expect. But when he outlined it, I guess I was pleasantly surprised at the dollars potentially that could come locally. It's fairly significant. The counties are really a big player within the government proposal. It doesn't mean that the municipality or the county itself has to even opt for a well. But if you do, certainly, there's some incentive. I find it favorable staying within the local government versus going into the state general fund. So I think we'll be very active as a local county with regard to this. And hopefully it will be something optimistic and beneficial. Thank you.

PRESIDENT BURN: Thank you. Mr. Finnerty?

MR. FINNERTY: Let me mention one thing about that. I just wanted to mention that --- not that I'm against what the Governor did, but that also we have to look at it and say to our ourselves, you know, the state isn't imposing a fee at all. It's up to the county to impose that fee. All the state is saying, that they're going to let us do it if we want to. But it's up to us 15 people here to decide in regard to that. Thank you.

PRESIDENT BURN: Thank you. I had a liaison report briefly. I was in Harrisburg today. I had an opportunity to speak at the --- in front of the Senate Government Committee on the proposal to change how Pennsylvania allocates its 20 electoral votes. I heard some very powerful testimony from Democrats and Republicans. And while I was in the room, the testimony

that I heard was unanimously opposed to this concept. The testimony of Terry Madonna and a professor whose name escapes me who was with him was extremely powerful with expert evidence, an analysis on why this concept is not a good concept for our Commonwealth.

If the bill is passed, Pennsylvania, in my opinion, would unilaterally disarm, giving up its influence on the presidential level and making the state less important, whether you're a Democrat or a Republican.

Currently, our 20 votes draw candidates from both parties. Every four years, they campaign aggressively and throughout the Commonwealth. That is the reason why we are called a battleground state and have been called a battleground state for generations. Under the Congressional District proposal, which would give the electoral votes pursuant to Congressional districts in our Commonwealth, far fewer electoral votes would be available. Perhaps seven to ten votes, maybe fewer, would truly be in play. Presidential candidates would spend less time in our state and they would become less acquainted with Pennsylvania, including its people and our needs. We've been very lucky from both parties with the spirited debate that we've had from the candidates and their issues to get significant attention in the last several presidential cycles. If this legislation were to pass, our state would become much less meaningful in presidential elections. The only two other states in the Union that do this are Maine and Nebraska. I query whether they would have entertained the concept had they come with 20 electoral votes like the Commonwealth of Pennsylvania.

The concern that many had from both parties who testified today was that this proposal could be construed to silence voices and not make voices heard. Instead of creating a fair process, the concern is this would actually diminish the voters' influence because of the encouragement or the incentive that when redistricting comes around every ten years, that the intent, whether it's the Democrats or the Republicans who are in power, would either lean towards gerrymandering versus drawing lines for inclusion versus exclusion in power grabs. If achieving a more fair result is the goal, this proposed claim does not seem to pass muster or make sense. The academics that we heard today and many of the op eds we've read in the papers across the state would argue that the

proposed plan would take congressional gerrymandering a step further. Fifty-two (52) percent of Pennsylvanians at this point, after analysis, do not support this poll or this change. The Quinnipiac poll came up with the 52 percent.

I think that the costs outweigh the benefits at this point. There are just simply too many questions about the proposal that have remained unanswered. Of all the experts that testified today, not one spoke in favor of this. Those that spoke against it had specific details as to why it was a bad idea for this Commonwealth at this time.

For hundreds of years, Pennsylvania has decided elections through electoral college. It's not a perfect process, and constitutional scholars will debate its merits and its strengths and its weaknesses, but it has worked. And while we struggle here in our Commonwealth, there are other issues that we believe, from both sides of the aisle, that are more important than to have a debate on how we distribute electoral votes. This is, again, something that should be put on the back burner or not discussed at all.

And when you look at the issue of disenfranchising voters, in Allegheny County, with a 20 percent turnout in May ---. I was with a good friend, Frank Rosenhoover, from Blair over the weekend, having dinner. Eleven (11) percent in Blair County. The perception out there right now is that the congressional --- as a whole, the congressional support is not there by the regular, everyday voter from either side. And that's starting to creep into indigenous districts. Hypothetically, a congressman may have a 50 percent approval rating or 55 in his district or her district. Overall it's a 12. This would throw gas, in my opinion, on the fires of disenfranchising.

So those of you, look at this issue. Or if you're following this issue, I'd urge you to continue to do so. Those of you that are just starting to follow it or appreciate its significance or its potential negative impact on our relevance as Democrats and Republicans, I would suggest you please take a look at this and drill down on it and then urge your leadership in Harrisburg from either side of the aisle to oppose the plan. Thank you.

New business. Ordinances and resolutions.
6544-11.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, establishing County policy for tracking police calls to properties eligible for rental under the Federal Housing Choice Voucher and other public housing programs, and forwarding records of such calls to any housing authority within Allegheny County administering the Housing Choice Voucher and other public housing programs in order to facilitate such authorities' ability to provide the safest possible living environment for tenants. Sponsored by Councilman Kress.

PRESIDENT BURN: Refer to the Committee on Government Reform. Mr. Kress?

MR. KRESS: Yes. I'd just like to say a couple things. What I'm trying to do is give pull to our Housing Authority to evict those involved in criminal activity. And President Bill Clinton actually instituted the one strike and you're out policy. I want to just quote from President Bill Clinton. He said that hardworking, law-abiding people who live in public housing should not be fearful of gang members and drug dealers in their apartment buildings. If you mess up in your community, you have to turn in your key. If you insist on abusing or intimidating or hurting other people, you have to live somewhere else.

And this is what we're trying to do. We're just trying to get tools for the County Housing Authority to keep track of those who are committing crimes and evict them from these properties. Thank you.

PRESIDENT BURN: I misspoke, Mr. Kress. That's for the Committee on Economic Development. I'm referring that bill to the Committee on Economic Development. Thank you for your remarks. 6545-11.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Division 4 of the Allegheny County Code of Ordinances, entitled Finances, Chapter 485, entitled False Claims, in order to undertake technical corrections to the ordinance as enacted. Sponsored by Councilman Kress.

PRESIDENT BURN: Refer to the Committee on Government Reform. Mr. Kress.

MR. KRESS: Basically what we're just trying to do here is --- we already passed the False Claims Act.

What I'm just trying to do is improve the law and make it a better law. And since I'm on Council, until I leave, I'm going to try to do the best job I can and make the best laws that we can enact. And this is one of these things that what we're trying to do. We're just trying to improve upon a law we already passed. Thank you.

PRESIDENT BURN: Thank you. 6546-11.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Administrative Code of Allegheny County, Article 905, entitled Nonformal Procurement, Section 5-905.03, entitled Procurement of Professional Services, in order to clarify the role of the Allegheny County Professional Services Review Committee. Sponsored by Councilman Robinson.

PRESIDENT BURN: Refer to the Committee on Government Reform. Mr. Robinson?

MR. ROBINSON: Thank you, Mr. President and members of Council. This bill is an attempt to give clarity to the role of the Professional Services Review Committee and to also close the loop between the administration and this Council in the selection and awarding of professional service contracts.

PRESIDENT BURN: Thank you. 6547-11.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, permitting the use of the Flower Show Building and Annex in South Park for the operation and management of a theatre. Sponsored by the Chief Executive.

PRESIDENT BURN: Refer to the Committee on Parks and Recreation. 6548-11.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, permitting the use of the former Midway Dairy Building in South Park as a concession stand and storage site for the South Park Youth Football Organization. Sponsored by the Chief Executive.

PRESIDENT BURN: Refer to the Committee on Parks and Recreation. 6549-11.

MR. CATANESE: A resolution of the County of Allegheny, Commonwealth of Pennsylvania, supporting the renewal of the Commonwealth's Growing Greener Program. Sponsored by Council Members Finnerty, Chief Executive, Council Member Macey, Ellenbogen, Futules, DeFazio, Palmiere, Martoni, Danko, Green Hawkins.

PRESIDENT BURN: Before I refer this, Mr. Finnerty?

MR. FINNERTY: I would ask that we waive the second reading. I don't know if I'm doing that properly.

PRESIDENT BURN: Mr. Cambest, is that --- can he move to waive?

MR. MARTONI: Second.

PRESIDENT BURN: Moved and seconded. Any discussion on the motion to waive? On the motion to waive, any discussion? Any discussion? Seeing no discussion, please --- can I do a voice vote on this? All those in favor, signify by saying aye.

(Chorus of ayes.)

PRESIDENT BURN: The motion --- it has been waived. And now it's on the floor.

MR. FINNERTY: Thank you. Growing Greener is a program that has helped Allegheny County, has helped all the counties in Pennsylvania. In Allegheny County, we have received \$38,000,000 in funding for over 150 different projects. It has helped us with saving 3,500 acres of working farm. And what that means is --- Growing Greener, one of the things they do is they offer farmers with a certain amount per acre so that that land will stay a farm forever.

And it's helped us to conserve more than 42,300 acres of threatened natural areas, restored more than 1,600 acres of abandoned mine land and enhanced access to outdoor recreation through 234 community park projects and 134 state park and forest infrastructure programs. So it has also helped us with our streams and also to reclaim 189,000 acres of abandoned mine land. So it's something that's very important to the county and for the State of Pennsylvania, and that's why I asked to waive it, if we could send something to the state, the Governor and the General Assembly that we would like them to extend Growing Greener, as 23 other counties in the State of Pennsylvania have. That would be a great help, I think, for us. Thank you.

PRESIDENT BURN: Thank you. Any other discussion? Any other discussion? Do we need a roll on this?

MR. CAMBEST: Yes.

PRESIDENT BURN: Please call the roll.

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: Mr. Kress?
MR. KRESS: Yes.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: 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. Burn, President?
PRESIDENT BURN: Yes.
MR. CATANESE: Ayes 15, noes 0. The bill

passes.

PRESIDENT BURN: 6550-11.

MR. CATANESE: A resolution of the County of Allegheny approving certain interdepartmental transfers in the operating budget for the final (sic) year beginning January 1st, 2011 and ending December 31st, 2011. Sponsored by the Chief Executive.

PRESIDENT BURN: Refer to the Committee on Budget and Finance. 6551-11.

MR. CATANESE: A resolution approving a project to be financed by the Allegheny County Hospital Development Authority, the Authority, by the proposed issuance of Authority revenue bonds, the Bonds, in an aggregate principal amount not expected to exceed \$335,000,000, and the loan of such proceeds to UPMC, a Pennsylvania nonprofit corporation, the Borrower, provided that the taxing power of the County of Allegheny, Pennsylvania, the County, shall not be obligated in any

way with respect to the Bonds, and declaring the financing of such project as desirable for the health, safety and welfare of the people in the county. Sponsored by the Chief Executive.

PRESIDENT BURN: Refer to the Committee on Economic Development. Are you not the sponsor, Mr. Gastgeb?

MR. GASTGEB: No.

PRESIDENT BURN: 6552-11.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2011, Submission 10-11. Sponsored by the Chief Executive.

PRESIDENT BURN: Refer to the Committee on Budget and Finance. New business, motions. Ms. Rea?

MS. REA: Thank you, Mr. President. I have a motion. I'll wait for Mr. Barker to give it to each Council member.

PRESIDENT BURN: I think everyone has a copy. Ms. Rea, since this is not on the agenda, we ask our parliamentarian, what would be the procedure to discuss this?

MR. CAMBEST: We would need a motion to amend the agenda to place it on there first.

PRESIDENT BURN: Ms. Rea, do you have a motion?

MS. REA: Yes. So moved.

(Chorus of seconds.)

PRESIDENT BURN: Any discussion on the motion? Any discussion on the motion to put it on the agenda? Seeing no discussion, all those in favor, signify by saying aye.

(Chorus of ayes.)

PRESIDENT BURN: Opposed? Ms. Rea, the motion is on the agenda. I believe we need to have it read by Mr. Catanese; is that correct?

MR. CAMBEST: Yes.

MR. CATANESE: A motion of the Council of Allegheny County requesting that the County Solicitor provide Council with a written opinion regarding ownership of the mineral rights relating to all parcels currently collectively referred to as the Pittsburgh International Airport, regardless of whether such parcels are actually necessary for or vital to the conduct of air operations. This is sponsored by Councilwoman Rea.

PRESIDENT BURN: I will refer the motion to the Committee on Government Reform, but Ms. Rea, would you like to comment?

MS. REA: We can't vote on it tonight?

PRESIDENT BURN: I think ---.

MS. REA: I thought we could vote on it.

PRESIDENT BURN: Let's see.

MS. REA: Okay. I'll just make a comment then.

The reason I wanted to present this motion is Marcellus Shale --- that's the buzzword. That's the topic. That's where, you know, 20 years from now, we hope that is the big industry here, or ten years from now or five years from now. Last year we studied for a long time working with the airport, working with the federal government and drilling at the airport. And if you look at any site in Allegheny County, that's probably the best site where we would --- if we would determine we want to drill, that would be the best place. But we always go back and forth who has the mineral rights, who has this right, who has that right. So I just thought the first step in the file to put down is something from our County Solicitor saying that we do own the mineral rights at the airport. And it's just a step in the process that if we do decide that we would like to drill at the airport, that it's clean, it's clear, it's written, and everyone understands that. Thank you.

PRESIDENT BURN: Thank you very much. Please add Councilman Gastgeb ---.

MR. GASTGEB: I already am.

PRESIDENT BURN: You are? Mr. Gastgeb is a co-sponsor. He has the right to comment as well. Mr. Gastgeb.

MR. DROZD: Add me, too.

PRESIDENT BURN: Please add Mr. Drozd.

MR. GASTGEB: I concur with Councilwoman Rea. I mean, we just saw yesterday potentially what this could mean to the county. But the second part, I think, is very interesting, too. Besides the mineral rights is what's required for the conduct of air operations. Right now through the Transfer Agreement, there's the inner ring and the outer ring. And the outer ring consists of parcels and long blocks that are much larger than really needed to run an airport in the United States. And seemingly, the reason why those lots and parcels aren't being used is because the FAA gave Allegheny County money in 1950s to

purchase the land and to run an airport, but some of it may be --- some of the parcels were not used with federal money, and the county actually bought these properties well before 1950s. 1910 to 1920. So I think we really need to know if the Transfer Agreement is accurate, what is defining as air operations and what the FAA owns or what they think they own. So I think legally moving forward, it's prudent that we look at these issues. Thank you.

PRESIDENT BURN: Please add Mr. Drozd as a co-sponsor and Council Members Kress and Robinson as co-sponsors as well, but the bill has been referred to the Committee on Government --- the motion has been referred to the Committee on Government Reform. Notification of contracts. 6553-11.

MR. MARTONI: Move to receive in file.

MR. CATANESE: Just to make a note, Councilman Gastgeb wasn't the sponsor on the last one.

PRESIDENT BURN: Thank you, Mr. Catanese. Thank you, sir.

MR. FINNERTY: I'll second that.

PRESIDENT BURN: Okay. Motion to receive in file?

MR. MARTONI: I had a motion to receive in file.

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

(Chorus of ayes.)

PRESIDENT BURN: Approved. Public comment on ---.

MR. GASTGEB: Mr. Burn?

PRESIDENT BURN: Point of privilege?

MR. GASTGEB: Point of privilege.

PRESIDENT BURN: Yes, sir, Mr. Gastgeb.

MR. GASTGEB: Since I wasn't a sponsor on the last one, I'd like to get what I want to say out.

PRESIDENT BURN: Yes, sir.

MR. GASTGEB: On Bill 6551-11, which is UPMC asking for a bond from the county, I'm not going to get into the technicalities of that, but just an inquiry. I thought one of the members up here either made reference or was going to pass something when we were talking about the Highmark-UPMC and what it meant. We got a couple of those, I think, and some pretty long debate. And somebody mentioned, I thought, or maybe somebody put something in writing --- I apologize for not remembering. Next time we

have something from either side, you know, maybe we'll look at it in a different light. But overall that's fine for now. But in light of this coming up so quickly, if there are some ideas, I'd be all ears to listen to any changes in how we conduct the business in light of the circumstances we find our citizens under. Thank you.

PRESIDENT BURN: Thank you, sir. Public comment on general items.

MR. CATANESE: We have one.

PRESIDENT BURN: Ronald Lynn Miller.

DR. MILLER: Dr. Ronald Lynn Miller, 40 Beltzhoover Avenue, Pittsburgh, 412-381-3753, Founder and Director of the Center for Global Studies International Interdisciplinary, 1998. I'm a member of the American Chemical Society and International Union of Pure and Applied Chemistry. I urge County Council to pass law to remove limits on constructive compository double vector chemical processes and to restrict agentive and reagentive residua from the global set of all chemical actions to suprananometric size in Allegheny.

We all have chemical dreams. Our nighttime dreams are a consequence of the fluctuations in the levels of chemicals at the molecular level in our brains. Dreams are imaginary to what has been, is and might be. Those of us engaged in chemical olfactory studies, the discipline in chemistry are acting on daytime dreams to create new things. Sometimes these dreams turn into chemical nightmares or daymares, as has happened in Texas. Four of these chemical dreams require, in my view, the immediate attention of this Council to protect chemical innovation into Allegheny and to protect County residents, especially our children, from nightmarish consequences of these innovations.

One chemical dream is to make synthetic organic compounds. IUPAC, with the Editors of Synthesis, Synlett, Synfact and Science of synthesis, have recently announced the IUPAC rise in synthetic organic chemicals, a competition to get chemists to come up with synthetic organic chemicals which will make the creation of artificial life forms easier. Establishing an Allegheny legal framework for limiting the extent to which synthetic organic chemicals can become part of human organisms is necessary.

Second chemical dream is to make nanoentities, at one billionth of a meter, safer for use in humans.

County legal frameworks are necessary for avoiding the inextractability of nanoparticulate residue from human tissue when used even now in nanomedical procedures and for averting the expulsion of self-replicating nanoentities into environments outside of the human body.

The third chemical dream is to construct biological chemical codes, restoring good memories in the human brain. Allegheny County legal guidelines are necessary for restricting the implantation of artificial memories into human brains, and the simulation of replicated memory codes of a human; if they're not human, silicone-based lifelines.

Fourth chemical dream is the stabilization of molecular size microprocessors. An Allegheny legal foundation is necessary, again, to define circumstances permissible for putting molecular quantum computers in human organs like ours. Molecule size microprocessors have instability due to fluctuations in electron positioning at the quantum level.

All these dreams are being pursued in the departments of chemistry at the University of Pittsburgh and seemingly with great excitement, but there are downsides to all of this. And I have one additional chemical dream, which is that the Council will prepare a report before the end of this year identifying where in our municipalities' chemical storage sites are located and what is in those facilities.

PRESIDENT BURN: Thank you. Do we have a motion to adjourn?

(Chorus of motions.)

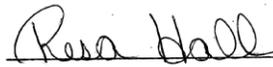
(Chorus of seconds.)

PRESIDENT BURN: Second. Meeting adjourned.

MEETING ADJOURNED AT 6:15 P.M.

CERTIFICATE

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



Court Reporter