

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
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, December 18, 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

PRESIDENT MARTONI: The December 18th meeting will now come to order. Please rise for the Pledge of Allegiance to the Flag led by two of our wonderful students from Upper St. Clair, Dominick Caruso and Ethan Dysert.

(Pledge of Allegiance.)

PRESIDENT MARTONI: Please remain standing for a moment of silent reflection or prayer, particularly for the victims of the Sandy Hook Elementary School shootings in Newtown, Connecticut, a special thought for the families of the victims, please.

(Moment of silent reflection.)

PRESIDENT MARTONI: Please be seated. Roll call.

MR. CATANESE: Mr. Burn?
(No response.)
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 (via telephone).
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?
(No response.)
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Here.
MR. CATANESE: Mr. Macey?
MR. MACEY: Here.
MR. CATANESE: Mr. Palmiere?
MR. PALMIERE: Here.
MR. CATANESE: Ms. Rea?
MS. REA: Here.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Present.
MR. CATANESE: Mr. Martoni, President?
PRESIDENT MARTONI: Here.

MR. CATANESE: Thirteen (13) members currently present.

MR. ELLENBOGEN: Joe, did you get me?

MR. CATANESE: Yes, I did, sir.

MR. ELLENBOGEN: Okay. Thank you.

PRESIDENT MARTONI: Proclamations/
Certificates. 7283-12.

MR. CATANESE: Certificate of Achievement awarded to Upper St. Clair High School boys' soccer team for winning the 2012 PIAA Class AAA Boys' Soccer Championship, sponsored by Councilman Gastgeb.

MR. GASTGEB: Thank you, Mr. Catanese. Thank you, President Martoni. If I could further ask to have my colleague, Councilwoman Heidelbaugh, also listed as a sponsor, and if I could have Coach Schneider and the team come up and stand behind me and kind of talk about the great thing you did for our county and for our region. Just come right up. We do have from time to time our champions come in, and we definitely want to make sure you know how much we're appreciative of your efforts and all the hard work that goes in. I was talking to the coach a little bit before this meeting started. I have four kids, but two of my daughters are in Bethel Park and one plays girls' lacrosse. And there's a little bit of fellowship, I think, between lacrosse and soccer, to a certain extent, because I know what goes into the sports. It's a lot of work, whether you play on a travel team or maybe an AAU team or a cup team. So not only do you play for your school, some of you are playing for the travel program. And the number of games and practices you have to attend, I've probably lost count how much it is.

So my hat goes off to you, as well as my colleagues, for the time and commitment you're able to do as students, as well, to keep your grades and your studies up. It does a lot for you as young men. It does a lot, too, for our community. But to go to a State championship, and as one of the fellows said, the gold medals are here gleaming and looking great. You are State champions, and that's something that you're always going to have with you. No matter what happens in your life or where you go, you're always going to have that experience, have that medal and have that great memory, if you will.

And what we like to do here at Allegheny County Council is oftentimes you see if you go on social media or watch the news, like some of the old folks do, like me,

then you see some things on TV that maybe kids your age are doing and it just doesn't seem right, but then we look at you and the commitment that you make for yourself, your community and the hard work you went in, and then what happens is you get a gold medal. I mean, it's the athletics, but it's also the things you have to give up. I know when my kids are participating in sports we can't even have dinner at the same time. There are different dinners because you're practicing and you have school and what have you and just a lot goes into for the families. So I commend the families for what you've done for these young men. Upper St. Clair's program --- and I think the South Hills is a hotbed for soccer as it is. And certainly Upper St. Clair has been at the forefront for a good many years with excellence. So my hat goes off to you and the coaching staff, the athletic department, the trainers, everybody making it possible. So I am going to read the proclamation. I'm going to ask Coach Schneider to maybe say a few words and, if you will, name the players.

This is on TV on Friday nights. It replays, and I'm sure you're home on a Friday night watching this.

This is a Certificate of Achievement on behalf of Allegheny County Council. Allegheny County Council is proud to present this Certificate of Achievement in recognition of your beneficial guidance and influence upon the young men and coach. Throughout this season, you have urged them to prevail in academics, as well as athletics, and you have had an excellent season in which you've earned the 2012 PIAA Class AAA boys' State soccer championship. Your contribution to Allegheny County and the long legacy of sports champions are to be commended. So on behalf of the citizens of Allegheny County, we all join the celebration of your team's memorable season. Congratulations, Coach.

(Applause.)

COACH SCHNEIDER: Thank you very much. We're very honored that we were invited to come here to be recognized. I just want to say that this is an outstanding group of young men. They have really worked very hard throughout the season. We had to play 25 games in 12 weeks, which is an average of three games a week almost, which most professionals would say it's insane to do that, but these guys came out every time. They commit six days a week, and then they also have homework to do

after the games late at night or on the bus on the way home. So they really commit themselves, and they really have done an excellent job. They also have been very well behaved off the field. They really represent their community and their school well wherever we went. So I'm very proud of them and very happy for them. So I just want to go ahead and introduce them individually real quick. Step forward so they can see who you are. And I just want to also say we have a rather young team. Doug is a sophomore, and then we --- and he is the one who scored the winning goal in the State championship.

(Applause.)

COACH SCHNEIDER: We have Robbie Mertz, who is also a sophomore. Then we have --- Pat Miller is a junior; Jon Erdman is one of our strong senior group; Dom Caruso, he's a junior; Kevin Muck, a senior; Matt McKenzie, who is a junior; and Garrett Blake, who is a sophomore; Tom O'Conner, another junior --- I'm sorry, a senior; Hayden Bernhardt, a sophomore again; Joe Conlon, our goalkeeper, a senior; our senior captain, Ethan Dysert; Connor Mielcusny, a senior; and Shane Sibley, another sophomore.

(Applause.)

(Pictures taken.)

PRESIDENT MARTONI: The remaining proclamations will be read into the record. 7300-12.

MR. CATANESE: First, let the record show that Councilwoman Green Hawkins is present.

7300-12. Proclamation congratulating the 2012 awardees of the Third Annual Big Brothers Big Sisters of Greater Pittsburgh, Celebrate Coalition event, sponsored by Councilman Drozd.

7301-12. Proclamation recognizing the Pittsburgh Steelers and the Senator John Heinz History Center in conjunction with the Allegheny Technologies, Incorporated (ATI), for establishing an Immaculate Reception monument at the actual site of the Franco Harris catch in celebration of the 40th anniversary of the most memorable play in the National Football League (NFL) history, sponsored by Council members Futules, Burn, Danko, DeFazio, Drozd, Ellenbogen, Finnerty, Gastgeb, Green Hawkins, Macey, Martoni, Palmiere, Rea and Robinson.

7302-12. Proclamation congratulating the Penn Hills School District for opening the new Penn Hills Senior High School, sponsored by Councilman Futules.

7303-12. Certificate of Achievement honoring the Deer Lakes High School Student Council for hosting the annual Senior Citizens Holiday Luncheon, sponsored by Council members Burn and Futules.

7304-12. Certificate of Achievement awarded to the Community College of Allegheny County (CCAC) North Campus golf team for winning the 2012 Pennsylvania Collegiate Athletic Association (PCAA) State championship, sponsored by Council members Martoni and Robinson.

7305-12. Certificate of Recognition honoring Mr. Luther Dupree upon the momentous occasion of his 102nd birthday, sponsored by Councilman Robinson.

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

MR. CATANESE: I have none.

PRESIDENT MARTONI: Approval of Minutes.

MR. CATANESE: I have none.

PRESIDENT MARTONI: Presentation of Appointments. 7306-12.

MR. CATANESE: Approving the appointment of Anthony R. Bridgeto to serve as a member of the Allegheny County Airport Authority for a term to expire on December 31st, 2017, sponsored by the Chief Executive.

PRESIDENT MARTONI: Appointment Review Committee. 7307-12, 7308-12, 7309-12.

MR. CATANESE: Approving the reappointment of John Lovelace, Dr. Katherine Seelman, and Dr. Edmund M. Ricci to serve as members of the Area Agency on Aging for a term to expire on December 31st, 2015, sponsored by the Chief Executive.

PRESIDENT MARTONI: Refer to the Committee on Appointment Review Committee. 7310-12.

MR. CATANESE: Approving the reappointment of M. Gayle Moss to serve as a member of the Allegheny County Jail Oversight Board for a term to expire on December 31st, 2015, sponsored by the Chief Executive.

PRESIDENT MARTONI: Refer to the Committee on Appointment Review. 7311-12, 7312-12.

MR. CATANESE: Approving the reappointment of Alice Mitinger and Barbara Logan to serve as a member of the Carnegie Library of Pittsburgh Board for a term to expire on December 31st, 2015, sponsored by the Chief Executive.

PRESIDENT MARTONI: 7313-12.

MR. CATANESE: Approving the appointment of Thomas E. Donatelli to serve as a member of the Allegheny County Port Authority Board for a term to expire on December 31st, 2014, sponsored by the Chief Executive.

PRESIDENT MARTONI: Refer to the Committee on Appointment Review. 7314-12, 7315-12.

MR. CATANESE: Approving the appointment/reappointment of Amy M. Kuntz and Dr. Rex Crawley to serve as members of the Community College of Allegheny County Board of Trustees for a term to expire on December 31st, 2016 and 2018, sponsored by the Chief Executive.

PRESIDENT MARTONI: Refer to the Committee on Appointment Review. 7316-12.

MR. CATANESE: Approving the reappointment of Vera M. Kelly to serve as a member of the Allegheny County Housing Authority for a term to expire on December 31st, 2017, sponsored by the Chief Executive.

PRESIDENT MARTONI: Refer to the Committee on Appointment Review. 7317-12, 7319-12, 7320-12.

MR. CATANESE: Approving the appointment/reappointment of Hugh McGough, Jessica McCurdy, and Mary E. Gibson, Esquire, to serve as a member of the Allegheny County Human Relations Commission for a term to expire on December 31st, 2016, sponsored by the Chief Executive.

PRESIDENT MARTONI: Refer to the Committee on Appointment Review. 7318-12.

MR. CATANESE: Approving the reappointment of John K. Weinstein to serve as a member of the Allegheny County Sanitary Authority for a term to expire on December 31st, 2017, sponsored by the Chief Executive.

PRESIDENT MARTONI: Refer to Appointment Committee. 7321-12.

MR. CATANESE: Approving the appointment of Deno DeCiantis to serve as a member of the Allegheny County Conservation District for a term to expire on December 31st, 2015, sponsored by the Chief Executive.

PRESIDENT MARTONI: Refer to Committee on Appointment Review. Unfinished Business. Committee of Public Works, Second Reading. 7270-12.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the Chief Executive to execute a deed conveying the County of Allegheny's interest in a parcel to John Koutoufaris, sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. Macey.

MR. MACEY: Thank you, Mr. President, and members of Council. This parcel has been determined to have no present or future use to the County of Public Works Department. The property has been appraised by one of the real estate services and determined to have a market value of \$900. The County Manager has approved the sale of the parcel at this place --- at this price to John Koutoufarris, who owns land adjacent to that parcel in the City of McKeesport. The Committee of Public Works, we met on December 11th, and the committee sent this to the full Council with affirmative recommendation. Therefore, I make a motion to approve this ordinance.

MR. PALMIERE: Second.

PRESIDENT MARTONI: Moved and second. Question roll call.

MR. CATANESE: Mr. Burn?

(No response.)

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?

(No response.)

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Aye.

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, 13; nos, 0. The bill passes.

PRESIDENT MARTONI: Liaison Reports. Go ahead.

MR. PALMIERE: Thank you, Mr. President. Just for a moment. I would be remiss if I didn't mention the fact that I wanted to congratulate the Clairton football team and Coach Nola for their wonderful achievement, four State championships in four years. That's just absolutely unheard of, and I just wanted to go on record tonight to congratulate them. Thank you, Mr. President.

PRESIDENT MARTONI: Did you guys hear that? Okay. I wanted to make sure I wasn't hearing things. Please. I'm sorry.

MS. HEIDELBAUGH: Just for the record, I wanted to make sure that everyone was aware, and I'd like to provide a copy, so that it can be handed out, Moody's has a negative outlook on all Allegheny County nonprofits because of the actions that have gone on here at the Council. And we want to be mindful of the things that we do because it has such catastrophic effects for our employers here in Allegheny County. So I'd ask that this be provided to the staff, and if they could make a copy for everyone and just put it in the boxes. Thank you.

PRESIDENT MARTONI: Thank you. Anyone else? Liaison Reports. Okay. New Business. Ordinances and Resolutions. 7322-12.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing a permanent easement and right-of-way to Equitable Gas Company, LLC, for the upgrading of an existing facility located in the county's South Park on Corrigan Drive, sponsored by the Chief Executive.

PRESIDENT MARTONI: Okay. Committee on Parks. Notification of Contracts.

MR. CATANESE: I have none.

PRESIDENT MARTONI: Public Comment on General Items.

MR. CATANESE: We have three.

PRESIDENT MARTONI: We have three, and they are Rusty --- number one, Rusty Loudermilk. Rusty?

MR. LOUDERMILK: Yes. Thank you very much, ladies and gentlemen. Last time I was here, I said something that might have been perceived as sarcastic, but it wasn't sarcastic, it was just the truth. You all serve in pleasure of the public, and when I come down and I

complain about past, present or even the future problems of the ACCESS transportation system, which the Port Authority and other sources give \$38,056,400. And those are not just Rusty Loudermilk figures. They're the Port Authority figures that I got from the Port Authority.

Having said that, you all and many others in the community should not bash me if I come down and say things about problems with the service because I don't mean to be sarcastic, but none of you ride the service. You don't understand what myself and many others go through. Having said that, my district rep is Mr. Futules, and I went to him, as well as Dr. Martoni and others, talking about different things past and present. And one of the e-mails that I got last January said that I should be happy that we have this service. Everybody needs to remember, this service is needed, but it is a Federal requirement, as well. Any transit service that has a fixed route bus service must have Paratransit, which is what ACCESS is.

So without being sarcastic, excuse me if I'm not tripping over myself to make light of the situation, because reality is everybody that runs ACCESS gets paid very well. And maybe some of you should sit and try to fix those problems instead of trying to kill the messenger. I just expose the problem, and I will continue to expose a problem, and if some of you don't like it, tough, because you guys should be grateful that you don't have to ride the service the way myself or anyone else does. And Mr. Futules told me one time, he said, oh, he couldn't help because it wasn't his department. Well, neither was helping your daughter get into the University of Pittsburgh, either, was it? Have a good day, ladies and gentlemen, and thank you.

PRESIDENT MARTONI: Sara Parks? Is Sara here? Yvonne Brown?

MS. BROWN: My name is Yvonne Brown, and I live in the Hill District. I want to make --- well, first of all, I wanted to say this. I give you praise and honor, you --- 15 of you, and you start on time. Come to the City Council, and they act like they're in your living room now. And they give me --- now, he left. I'm so sorry he did because he needs to hear what I have to say. But first I got the autographs of all you on Council. I have grandchildren and granddaughters and I'm trying to teach them that they have to come and they have to speak for the people.

Every time you hear on TV, you hear about this livable city, but this is a tale of two cities when it comes to the minorities. And there are things that are happening that you will never know. My father used to say, you only came up --- politicians only came up when it was time to vote. But I have here that I'm asking to be an advocate for the people. Bill Robinson had told me at one time, if I get 60 names. I have 75. I will read this, but I want to follow this man. You must know. I tried to call on --- follow him about the ACCESS because my husband had two strokes, so we had to deal with them.

I tried to call KDKA when they had Griffin on there, and I tried to tell them about this ACCESS. Well, you know Marty Griffin clicked me off and didn't listen, just like he told this man. You're one of the only cities that have this ACCESS. You should be glad. But when you have --- when my husband called ACCESS after he had his stroke, and they --- the main woman took his information, and when she messed up, it was two weeks before --- he was supposed to go the next day. She messed up. And then when they said get --- they said get a steady date. And I called and said, three days, three days, and the woman said no, it must be a week. So I have to call on Tuesdays, if you want Wednesdays. I mean, there's other things, and maybe I will write you, because you need to know how the people are suffering. You need to know. Not just me, not just my husband, just like him.

I'm telling you. And they talk very nasty to you. Not just me, to the people that need it. And you can change it all. Thank you. I'm sorry.

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

MR. FINNERTY: Wait. We got one more person.

PRESIDENT MARTONI: Yvonne Brown.

MR. CATANESE: That was Yvonne.

PRESIDENT MARTONI: That was Yvonne? Okay.

MR. FINNERTY: What about Sara Parks?

PRESIDENT MARTONI: Well, I called Sara Parks, and there's no Sara Parks here. So there's only so much I can do.

MR. FINNERTY: Oh, I thought she was here. Move for adjournment.

(Chorus of seconds.)

PRESIDENT MARTONI: Moved and second. Question all in favor.

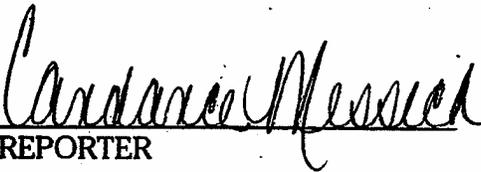
(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered.

MEETING ADJOURNED AT 5:25 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.


REPORTER