

ALLEGHENY COUNTY COUNCIL
REGULAR MEETING

- - -

BEFORE:

Dr. Charles J. Martoni	-	President, District 8
Nicholas Futules (via telephone)	-	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, February 5, 2013 - 4:58 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 February 5th meeting of Allegheny County Council will come to order. Please rise for the Pledge of Allegiance, led by Councilman John Palmiere.

(Pledge of Allegiance.)

PRESIDENT MARTONI: Please remain standing for a moment of silent reflection.

(Moment of silent reflection.)

PRESIDENT MARTONI: Please be seated. Roll call.

MR. CATANESE: Mr. Burn?
MR. BURN: Here.
MR. CATANESE: Ms. Danko?
MS. DANKO: Here.
MR. CATANESE: Mr. DeFazio?
MR. DEFAZIO: Here.
MR. CATANESE: Mr. Drozd?
MR. DROZD: Present.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: I'm over here.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: Here.
MR. CATANESE: Mr. Futules?
MR. FUTULES: Here (via telephone).
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. 7398-13.

MR. CATANESE: Proclamation recognizing March for Life demonstrators on the occasion of the 40th

anniversary of Roe versus Wade. Sponsored by Councilwoman Heidelbaugh.

MS. HEIDELBAUGH: Thank you, Mr. President. After having served on Council now for approximately one year, this is my first presentation of a proclamation. And I could not be prouder to present it to an organization that I have been affiliated with for a number of years, who perform work in this community that is worthy of our extreme gratitude. Let me read the resolution, and then I'll deliver a few remarks.

WHEREAS, on Friday, January 25th, 2013, tens of thousands of people from around the country attended the annual March for Life event in Washington, D.C. to protest the landmark abortion rights in Roe versus Wade on the 40th anniversary of that case; and

WHEREAS, the large turnout reflected the ongoing relevance of the abortion debate four decades after the January 22nd, 1973 decision; and

WHEREAS, since 1974, people from Allegheny County and surrounding counties have been traveling on their own time, at their own expense, to Washington, D.C., to protest the Supreme Court's decision; and

WHEREAS, every March many organizations, including the People Concerned for the Unborn Child of Pittsburgh are hopeful that the decision will be overturned and another trip to the United States Capitol will not be necessary.

NOW, THEREFORE, BE IT RESOLVED, that I, Allegheny County Councilwoman Heather Heidelbaugh, do hereby recognize the March for Life demonstrators for their continuing efforts to advance the right-to-life movement on the occasion of the 40th anniversary of Roe versus Wade. With us here today is Helen Cindrigh, who is the Executive Director of PCUC. Ms. Cindrigh has been the Executive Director of this organization for 26 years. She has devoted her life to the prevention of abortion in our country and to the preservation and dignity of human life.

She has done this many times without accolades and certainly without pay. Her efforts have resulted in the saving of tens of thousands of unborn children. In addition, her actions, along with the actions of many volunteers, have resulted in the awareness of helping those women who are pregnant and allowing them to deliver their children and to keep their children. Ms. Cindrigh,

would you please bless us with a few of your thoughts and comments?

MS. CINDRICH: Hi, I'm Helen. It's nice to see the faces of all the people whose names are in the paper all the time and all the great things you do. I'm from North Versailles, and I'm just a little bit closer to Westmoreland County than just about everybody else here. The last time we were here was when Arlen Specter was holding a seminar. And before that, we used to come here regularly, and we would get a proclamation. It's been a long, long time because the proclamations were usually given us by Tom Foerster, and sometimes Cyril Wecht was here. And it's just fun to be here again.

People concerned for the Unborn Child has been around since 1969, when seven women of four different denominations decided that something had to be done. They could see it coming, and we all know it happened on January 22nd, 1973. More recently, Allegheny County and the surrounding counties sent 106 buses to the March for Life on March 25th. We usually have it on the 22nd, but that was the inauguration time. The good news is that we were there with 500,000 other pro-lifers, most of whom had probably an average age of 20. We've been at it a long time, and it's so good to see young people.

Another good thing is that starting on Ash Wednesday and until Palm Sunday, we will be in the vicinity --- because we're not allowed to be in front of --- Planned Parenthood. It will be 40 Days for Life, and for 12 hours every day, from 8:00 a.m. to 8:00 p.m., we will be there quietly, silently, peacefully praying for the women and the people who go in and come out of Planned Parenthood. The People Concerned for the Unborn Child is the founder of several of the pregnancy support centers in Allegheny County. The first one was Birthright, and that's still around.

There are approximately, in southwestern Pennsylvania, three dozen pregnancy support centers, all of whom are willing and eager to help women with problem pregnancies. Another piece of good news is that up until recently, there were seven abortion mills in Pittsburgh. The farthest one was East Liberty, and the one on the other side was at Gateway Towers. The good news that goes with that is that only two of them are left, and one of them is kind of shaky. So we're going to keep on working to see that there are rules and regulations that protect

women and their children. And from time to time, we're probably going to be asking you to help us with those things. People Concerned for the Unborn Child usually gets the women who fall between the cracks, other --- sometimes other agencies are able to help, but when they can't, they call us and we provide furnishings, diapers, baby clothes, onesies, which is the uniform of the young baby. And we try to give them moral support, refer them to Angels' Place, which you all may know about, which is another organization that we founded. It's a free, state-licensed daycare center. There are three of them around the city.

They provide everything that a young, single, poor mother or father needs for their baby. I would recommend that you get to know Angels' Place. I hope you'll get to know People Concerned for the Unborn Child. And I'm very happy to have this proclamation from Heather and thank you all.

(Applause.)

(Pictures taken.)

PRESIDENT MARTONI: Thank you. The remaining proclamations will be read into the record. 7399-13.

MR. CATANESE: Certificate of Achievement awarded to Daniel F. O'Connor of Boy Scout Troop 138, upon earning the rank of Eagle Scout. Sponsored by Councilman Burn.

7400-13. Proclamation congratulating Classical WQED-FM 89.3/Pittsburgh, upon the occasion of its 40th anniversary. Sponsored by Councilwoman Danko.

7401-13. Certificate of Achievement awarded to Michael Kotok, of Boy Scout Troop 310, upon earning the rank of Eagle Scout. Sponsored by Councilman Drozd.

7402-13. Proclamation celebrating the 95th anniversary of the Urban League of Greater Pittsburgh. Sponsored by Councilwoman Green Hawkins, Robinson, Danko, DeFazio, Drozd, Ellenbogen, Finnerty, Futules, Gastgeb, Macey, Martoni, Palmiere and Rea.

7403-13. Proclamation recognizing Ms. Monica Jones upon the occasion of her retirement after 26 years with the Allegheny County Airport Authority. Sponsored by Councilwoman Green Hawkins and Councilwoman Rea.

7404-13. Certificate of Achievement honoring the Perry High School football team, for winning the 2012 City League Football Championship. Sponsored by Councilwoman Green Hawkins.

7405-13. Certificate of Recognition awarded to Ms. Lois Plummer upon the occasion of her 100th birthday. Sponsored by Councilman Macey.

7406-13. Certificate of Recognition awarded to Ms. Lena Franklin, upon the occasion of her 85th birthday. Sponsored by Council members Martoni and Robinson.

7407-13. Proclamation congratulating the Clairton Volunteer Fire Department on the occasion of its 25th anniversary. Sponsored by Council members Palmiere and Macey.

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

MR. CATANESE: We have none.

PRESIDENT MARTONI: Approval of Minutes.

7412-13.

MR. CATANESE: Motion to approve the minutes of the regular meeting of Allegheny County Council held on January 8th, 2013.

PRESIDENT MARTONI: Let's make that motion.

MR. DEFAZIO: Second.

PRESIDENT MARTONI: Moved and seconded.

Question? All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered.

7409-13.

MR. CATANESE: 08-740. You skipped one, Mr. President.

PRESIDENT MARTONI: Skipped one. 7408-13.

MR. CATANESE: Approving the reappointment of Jim Block to serve as a member of the Council of Friends Organization (North Park) for a term to expire on February 5th, 2015. Sponsored by Councilwoman Rea.

MS. REA: Seconded --- or make a motion to accept.

MR. FINNERTY: Second.

PRESIDENT MARTONI: Moved and seconded.

Question? All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered.

7409-13.

MR. CATANESE: Approving the appointment of Janet Craig to serve as a member of the Agricultural Land Preservation Board, for a term to expire on December 31st, 2014. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Appointment Review Committee. Who's going to make that motion?

MR. FINNERTY: I'll make that motion.

MR. CATANESE: We don't need to approve it.

PRESIDENT MARTONI: We don't need it? Okay.
(Brief interruption.)

PRESIDENT MARTONI: Okay. All in favor?
(Chorus of ayes.)

MR. CATANESE: There's nothing to approve. We're just putting it right in Appointment Review.

PRESIDENT MARTONI: Just putting it in Appointment Review; okay. 7410-13.

MR. CATANESE: Approving the appointment of Barbara Parees to serve as a member of the Allegheny Healthy Choices, Incorporated Board, for a term to expire on December 31st, 2015. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Appointment Review Committee. 7411-13.

MR. CATANESE: Approving the appointment of Thomas Weaver to serve as a member of the Agricultural Land Preservation Board for a term to expire on December 31st, 2013. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Okay. At this point --- it goes to Appointment Review; correct. At this point, I'd like to --- with your permission --- change the order of the agenda, because one of our members has a trip tonight. He has to leave and leave right away, in fact. Okay? Mr. DeFazio?

MR. DEFAZIO: Yeah. Jared will hand both ---. He's passing out this ordinance.

MR. CATANESE: Mr. President, this will be moved under New Business; correct, according to the resolution?

PRESIDENT MARTONI: Yes.

MR. DEFAZIO: Mr. Chairman?

PRESIDENT MARTONI: Yes.

MR. DEFAZIO: I'd like to make a motion to add this to the agenda.

MR. FINNERTY: Second.

PRESIDENT MARTONI: Moved and seconded. Questioning? All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered. It's on the agenda. Do you want to ---?

MR. CATANESE: Do you want me to read the caption?

PRESIDENT MARTONI: Please.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Allegheny County Code of Ordinances, in order to increase the amount of assessed value of each homestead and farmstead property within Allegheny County to be excluded from Allegheny County property taxation.

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

MR. FINNERTY: Second.

MR. DEFAZIO: Under remarks, Charles?

PRESIDENT MARTONI: Remarks.

MR. DEFAZIO: Under remarks, what this boils down to is, in practical terms, an old homestead exemption resulted in the discount of \$85.35 of last year's county tax bill. Increasing the homestead exemption to \$18,000 allows the value of the exemptions to remain almost identical. From 2012 to 2013, it was \$85.35, and now it will be \$85.14. This adjustment is in compliance with the State law on the homestead exemptions.

PRESIDENT MARTONI: Okay.

MR. CATANESE: Mr. President, if we want to vote on this tonight, you're going to have to do a waiver of second reading.

PRESIDENT MARTONI: Okay.

MR. MACEY: Mr. President?

PRESIDENT MARTONI: Yes.

MR. MACEY: I'd like to waive the second reading of this bill.

PRESIDENT MARTONI: We have a motion on the floor to waive the second reading.

MR. PALMIERE: Second.

PRESIDENT MARTONI: Moved and seconded.

Question?

MR. ROBINSON: Question.

MS. HEIDELBAUGH: Yes.

PRESIDENT MARTONI: Question? Go ahead.

MR. ROBINSON: I'm reluctant not to support Mr. DeFazio. We don't have any idea what the impact, if this passes, it will have on the financial condition of our county. There's a lot of supposition. I'm not questioning Mr. DeFazio's intent or even the end result that he thinks is going to occur and some of the risks he thinks are going to occur. But this is highly unusual and I think ill advised to take action tonight on a matter of

this magnitude. Thank you, Mr. President, and members of Council.

PRESIDENT MARTONI: Thank you. Anyone else?

MR. PALMIERE: Mr. Chairman?

PRESIDENT MARTONI: Wait. More questions, John. I looked this way first.

MR. PALMIERE: Okay.

MS. HEIDELBAUGH: I'm going to confer with Mr. Robinson. Now, prior to the meeting, we spoke with the county solicitor, who laid out some of the reasons --- thank you very much --- laid out some of the reasons why this was necessary. I would be happy to show up here on Sunday morning at eight o'clock to have a full vetting of this. But I feel very uncomfortable that we're going to rush through this legislation without us talking about it. Now, I'm prepared to stay tonight, if that's what everybody wants to do. But to waive the second reading and rush to a vote, I have concerns about it, in terms of adequately representing the citizenry.

PRESIDENT MARTONI: Mike, and then John.

MR. FINNERTY: I'd like to call the solicitor up in regard to this so we can get an explanation on it. I think that's important, not only that --- although we have already spoke to him, and everybody up here has, I think it's important that the people understand why this is going on.

MR. CAMBEST: Thank you, Councilman; sure. I brought Mr. Finkel up here. When I accepted this job, I was told I wouldn't have to do any math, so I'd like to bring a backup. But as Councilman DeFazio stated, last year in Allegheny County, we had homestead exemption of \$15,000. And you multiply that by last year's millage of 5.69 mills. That homestead exemption had an actual value to the property owner of \$85.35. As you know, we've gone through a reassessment process which has resulted in a reduction in the millage.

As it stands now, with the millage at 4.73 mills, when you multiply that by the \$15,000 homestead exemption, the actual value of the homestead exemption to the property owner, if it wasn't changed, would be \$70.95. So the property owner would lose some \$14, roughly, out of their pocket --- \$14.40 out of their pocket as a result of not adjusting the homestead exemption upward.

To address Councilman Robinson's concern, when the budget was formulated --- back when the budget was formulated, there was not a millage figure to multiply by. But when the budget was formulated, the figure of \$85.35 per homestead exemption was the number that was used. And so it was in the comprehensive financial plan; that was the number. So what we're proposing here to do is to make the necessary adjustment, so that the homestead exemption matches what's in the budget. This is not a reaction to criticism of millage or windfalls and these kind of things. It is merely what was essentially an oversight during the process, the budgeting process and the millage setting process, of not adjusting this homestead exemption up to account for the reduction in millage.

The second part that we're asking for in this is a postponement of the time when tax bills are due, both the discount period and the non-discount period. The reason for that is, when we put this forth and we drafted it, we called Treasurer Weinstein, and we asked him what would be the best way to go about doing this? We want to make this adjustment. For the purposes of sending out bills and collecting taxes, what is the most efficient system that's going to result in the least amount of confusion to taxpayers? And he said the best way to do it would be delay the due dates 30 days, so that we make sure that when the bills go out they have the modified due dates, not the old due date of March 31st, which would cause some confusion.

Now, that said, there were some --- and I guess you can get some e-filing and things online. We don't have really any doubt. As sure as I'm standing here, somebody is going to send in their bill that's going to be their taxes, which are going to be roughly \$14 too high, and we're going to have to send them a refund check. That's how that's going to have to work. But what we wanted to do was take every precaution necessary to do this in a way that was going to result in the least confusion. Again, it's a completely revenue-neutral adjustment, and the point of it is to make the value of the homestead exemption neutral to people who have that exemption.

PRESIDENT MARTONI: Thank you.

MR. CAMBEST: And I can answer any questions or concerns of anybody who would have further ---.

PRESIDENT MARTONI: Jan?

MS. REA: Yeah.

PRESIDENT MARTONI: John and Jan had their hands up. Yes?

MR. DEFAZIO: Mr. Chairman, my question was to bring him up and ask him questions. So he already did that.

MR. CAMBEST: If I could add just one more thing?

PRESIDENT MARTONI: Okay.

MR. CAMBEST: In the process of going through this, there's a --- there's actually a State law that in a reassessment year for a county, if you have a homestead exemption, you're required by State law to adjust it to avoid a windfall for --- as a result of millage going down and your aggregate tax assessed value going up. That formula would actually result in an adjustment upward of the homestead exemption to \$17,400. The issue with that is that the taxpayers would still be shortchanged. Their value of their homestead exemption would be lower than it was in 2012. So we thought by making it up to \$18,000, they're getting an almost exact match to the value of their homestead exemption in 2012.

PRESIDENT MARTONI: Thank you. Jan?

MS. REA: Thank you, Mr. President. I just have a comment that, number one, I don't know who caught the error, but I'm glad they caught the error, because now the citizens of Allegheny County don't have to spend 25 cents more in paying their taxes. So we're just making it revenue neutral. We're not doing anything other than that, and I just hope everyone does understand that. Thank you.

PRESIDENT MARTONI: Thank you. Heather?

MS. HEIDELBAUGH: When we spoke before, we went over a couple of items, but you'll remember this. Why go --- we go through with any kind of --- so I don't have to come back to you. It's understanding it's not completely revenue neutral, to be completely honest. It's going to be \$66,000 of additional income to the county. The revenue will not be received from Allegheny County for an additional 30 days, so the revenue that we would have gotten is going to be 30 days late. You do not believe that there will be a need for a revenue anticipation loan, which would have costs associated with that.

You believe that the mortgagors will send in some money which will result in having to rebate. I want

to know two things. Are you going to put out a general notice to the public so that the mortgagors, at least in the county and PNC can pick this up, and some of the other local banks? And what's the cost to review the tax bills?

MR. CAMBEST: Just those two questions, or did you want me to address your ---?

MS. HEIDELBAUGH: Yeah, that and those two questions.

MR. CAMBEST: With regard to the \$66,000 you referenced, yes. To make it exactly penny for penny, the number would have to be \$18,044.17. The problem was we wanted to essentially make it a round number, so it's --- \$15,000 was a round number, \$18,000, easy for people to calculate the difference. That will result --- so I guess people --- I think it's an extra 21 cents per taxpayer is what it's costing.

With regard to --- I'm sorry. What are the last two questions again?

MS. HEIDELBAUGH: The revenue is going to be 30 days late.

MR. CAMBEST: The revenue --- I'll let Mr. Finkel handle the revenue issue.

MR. FINKEL: The revenue --- that's true. By pushing the discount theory as April 30th, the revenues will be 30 --- will be coming in 30 days late. It will not pose any cash flow problems for the county. That's not an issue.

MS. HEIDELBAUGH: Mortgagors?

MR. CAMBEST: We're going to do everything we can to put a press release on it and advertise it as much as we can possibly advertise it, yes.

MS. HEIDELBAUGH: Cost to redo the tax bills?

MR. CAMBEST: That number I don't have. We'll have to get that from Treasurer Weinstein, but we think that there will be costs associated with that. But in the interest of doing it right and making sure people don't pay a penny extra than they should, that won't occur.

MR. FINKEL: A small minority of the taxpayers have received these e-bills already, so it wouldn't take that much effort to recreate that e-mail and put the correct notation on it.

PRESIDENT MARTONI: Thank you. Jim?

MR. ELLENBOGEN: Thank you, Mr. President. I just want to say I don't want to see the people just kind of pay another penny more. The question I have for you,

if we collected that money, is it or is it not illegal? Isn't it --- aren't we required to adjust this? Isn't that State law?

MR. CAMBEST: If we do not raise it at least to \$17,400, yeah. We're required to raise it to at least that amount.

MR. ELLENBOGEN: So let's just say for the sake of argument that we collected this money anyway. Then we would probably be penalized; isn't that true?

MR. CAMBEST: I think if it came to --- yeah, if it was brought to our attention afterwards, we'd have to pay it back. That's right.

MR. ELLENBOGEN: And is it not true that they could also insert a penalty on us which we would have no idea what it could be?

MR. CAMBEST: That I don't know the answer to, if we could be penalized. I know we ---.

MR. ELLENBOGEN: But the point is, it's illegal to collect it; isn't that correct?

MR. CAMBEST: The law requires the homestead exemption in a year of a reassessment to be raised. So yes, if you send out bills and collect money without raising it, you're essentially collecting too much, so you'd have to pay it back.

MR. ELLENBOGEN: All right. That's all I have. Thank you, sir.

PRESIDENT MARTONI: Barbara?

MS. DANKO: Yes. When I first heard about this, I blew a gasket like a lot of other people. But I'm satisfied that this is a technical correction and that because the revenue number was already built into the comprehensive financial plan, you know, there's really no impact on the budget, and so I will be supporting it.

PRESIDENT MARTONI: Anyone else? Mike?

MR. FINNERTY: I have one thought. I just want to say that I'm happy that you have identified this before --- now, instead of a month later. It would have caused a tremendous amount of problems, and I definitely will support it because it's the law. Thank you.

PRESIDENT MARTONI: Thank you. Matt?

MR. DROZD: Just a quick point. Please check in lessons learned, you know, to look where this glitch happened, what it cost us and the taxpayers of Allegheny County. We can't let this happen. This is a --- you know, this is a glitch, and we have to consider the

system, however small, but wherever it may have happened, to get it corrected and don't let it happen again. Thank you.

PRESIDENT MARTONI: Thank you. I think we are waiting to vote; am I correct? 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: Is this for the waiving of the second reading?

MR. CATANESE: No, this is for approving the bill, approving of the bill.

MS. GREEN HAWKINS: Did we waive the second reading?

PRESIDENT MARTONI: Didn't we vote on waiver?

MR. DEFAZIO: I don't think we voted.

MS. GREEN HAWKINS: We added it to the agenda, but I'm not sure that we waived the second reading.

MR. ELLENBOGEN: I think Amanda is correct.

MR. DEFAZIO: We didn't vote on the waiving of the second reading.

PRESIDENT MARTONI: Okay. Let's have a vote on waiving of the second reading.

MR. ELLENBOGEN: That's what we're doing now.

MR. CATANESE: I made a motion that ---.

MR. ELLENBOGEN: Let's do it over.

PRESIDENT MARTONI: Okay. All in favor?

(Chorus of ayes.)

MR. ROBINSON: Nay.

PRESIDENT MARTONI: Did I hear right, one nay?
Okay.

MR. FINNERTY: One nay.
PRESIDENT MARTONI: It's passed. Okay. Now
we've got to do it over again.
MR. CATANESE: This is on approving the bill.
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: Nay.
MR. CATANESE: Mr. Martoni, President?
PRESIDENT MARTONI: Yes.

MR. CATANESE: Fourteen (14) yeses, one no. The
bill passes.

PRESIDENT MARTONI: Okay. Thank you, Mr.
DeFazio. Unfinished Business. Committee on Appointment
Review, Second Reading. 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: Motion?

MR. DEFAZIO: Yes. I'd like to make a motion that we go along with this reappointment.

MR. MACEY: Second.

PRESIDENT MARTONI: Moved and seconded.

Question? All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed?

MS. GREEN HAWKINS: Abstain.

PRESIDENT MARTONI: One abstention?

MS. GREEN HAWKINS: Abstain; thank you.

PRESIDENT MARTONI: Make sure they got it.

Okay. Committee on Government Reform, Second Reading. 7331-13.

MR. CATANESE: Ordinance of the County of Allegheny supplementing the Administrative Code of Allegheny County establishing the assessment appeal deadline for 2013 tax year. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. DeFazio.

MR. DEFAZIO: I was just getting ready to leave, so we can ---.

PRESIDENT MARTONI: That's you, John.

MR. CATANESE: That's you, John. Mr. President? That's you, Mr. President.

PRESIDENT MARTONI: Yeah, that's me. Okay. I'm looking for a motion to pass 7331-12 (sic).

MR. FINNERTY: I'll move to do that.

MS. REA: Second.

PRESIDENT MARTONI: Moved and seconded.

Question? I think that's a roll call.

MR. CATANESE: Yes, sir.

MS. HEIDELBAUGH: I think there's a mistake, Mr. President. I believe that you said 7331-12, and I believe that we're on 7331 ---

PRESIDENT MARTONI: Thirteen (13).

MS. HEIDELBAUGH: --- 13.

PRESIDENT MARTONI: That was a mistake. It's 13. You're right.

MR. FINNERTY: I still make that motion.

PRESIDENT MARTONI: Motion is made ---

MR. DROZD: Second.

PRESIDENT MARTONI: --- and seconded. Okay.

Roll call.

MS. HEIDELBAUGH: Question?

PRESIDENT MARTONI: Question.

MS. HEIDELBAUGH: Before we vote on this --- I attended the Government Reform Committee. And it was my understanding that if we pass this by lengthening the appeal deadline for 2013, we're also going to be allowing --- school districts who had one bite of the apple would now get a second bite of the apple. So I want all my colleagues to realize that when they vote yes for this, they may be subjecting people --- homeowners who thought they had finality in their assessment, to an appeal by a school district. I'm going to be voting no. We've had an enormous amount of public comment in regard to people filing assessments and getting finality. And I think we need to move on. To me, a no vote is a vote for the homeowner.

PRESIDENT MARTONI: Anyone else? Who raised their hand? Matt, go ahead.

MR. DROZD: Do you want to go first, Mike, or ---.

MR. FINNERTY: No, go ahead.

MR. DROZD: I'd just like to know --- and somebody from the county maybe can answer this from the administration side. Do we get a lot of inquiries about --- asking for extensions from homeowners? Was there a very large ---? I talked to constituents. I think --- it seems to me who likes the idea of having some additional time? Is this correct? Can you tell us why? Specifically, was this a large outcry from the homeowners, from the constituents, the taxpayers?

MR. CAMBEST: Hello, again. I think that on your first point, what Judge Wettick set up was a system whereby we have deadlines for appeals. And people who miss those deadlines --- because there was a lot of confusion surrounding this process, had to bring a motion in to Judge Wettick to say, I'd like to file a late appeal. The county didn't oppose any of those. I'm not aware of really any school districts opposing them. Maybe they did, I don't know, but --- so I can just tell you that having been somewhat regularly in Judge Wettick's courtroom on these and other matters, that he has a --- whereas, he used to start with uncontested motions at the beginning of his usual motions, he now starts with late appeals for them to go through. Then he goes to uncontested motions, then contested motions. So I don't have an account for you in terms of how many went through there every week. But it was enough that Judge Wettick

changed his courtroom procedure to account for those and get them out of the way first, so ---.

But the answer --- in my office, I can tell you yes, we did get a lot of calls from people saying, can I still file an appeal? Can I still file an appeal? And they were instructed per Judge Wettick that they had to take a motion to court to do it.

MR. DROZD: Did you get any from any school districts?

MR. CAMBEST: Late appeals from school districts?

MR. DROZD: No, I'm not asking --- saying we want additional time for the appeal to get in.

MR. CAMBEST: No.

MR. DROZD: Just from the homeowners?

MR. CAMBEST: Yes.

MR. DROZD: Thank you, sir.

PRESIDENT MARTONI: Thank you.

MR. FINNERTY: I just was going to comment that --- I mean, everybody is entitled to their opinion. But I believe that this ordinance was set forth to help the homeowners, and I am going to vote for it. Thanks.

PRESIDENT MARTONI: Thank you. Anyone else? Yes, go ahead.

MS. GREEN HAWKINS: Thank you. Does anyone know if the appeals of the Board of Property Assessment Decisions --- when they go to court, if those appeals are de novo or if they are a review of the Board property assessment appeals and review decisions?

PRESIDENT MARTONI: Okay.

MR. DROZD: Just stay there. Grab a seat next to ---.

MR. ELLENBOGEN: Yeah. Why don't you just get a chair ---?

MR. CAMBEST: After a property owner has a hearing at the Board of Property Assessment level at OPA, the Board --- the Hearing Officer makes a recommendation to the Board or a report to the Board. The Board then makes a decision on a number. That decision is now to the property owner and school district, either --- and those bodies can then appeal. It is a de novo appeal. You start over at the Board of Viewers in a de novo appeal.

MS. GREEN HAWKINS: Thank you, sir.

PRESIDENT MARTONI: Heather, so ahead.

MR. CAMBEST: Ms. Heidelbaugh.

MS. HEIDELBAUGH: While you're there, ---

MR. CAMBEST: Yes.

MS. HEIDELBAUGH: --- since I've appeared in Judge Wettick's chambers for 24 years, do I understand you correctly that Judge Wettick is signing all of these as a non-consented, so if I, for some reason, didn't appeal in a proper time frame, I could go, ask permission and he signs it?

MR. CAMBEST: My understanding is that --- and I think I can speak to this. But my understanding is that if there is no opposition, he signs it.

MS. HEIDELBAUGH: And you've watched him sign all those?

MR. CAMBEST: I have not watched him sign all of them. I have seen him sign a number of them.

MS. HEIDELBAUGH: Okay. So this is --- this right to give additional time is in addition to what he's already given?

MR. CAMBEST: That's correct.

PRESIDENT MARTONI: Okay. Thank you. Anyone else? Matt?

MR. DROZD: Yeah. I think we really have to give the homeowners every opportunity to appeal, and this is an opportunity for them to --- you know. And I would urge, you know, all of us to really give them that opportunity. I've heard from a lot of constituents that they weren't aware, they didn't know, you know, or they wanted another additional time. They'd like now to appeal. So let's give them that opportunity. Wherever it falls, it falls, but let's give the homeowners and constituents and taxpayers ---. It's getting very confusing. You're right, Mr. Solicitor; you're right about ---.

MR. CAMBEST: If I could one more ---. That was kind of the point, Councilman, exactly what I aimed to address, a lot of confusion surrounding this process. I think what --- for maybe Council's edification should know, is that in the absence of this modification, there won't be any more appeals until 2014, because in a reassessment year, you do it prospectively. So there --- won't be around in 2013, so that is another big reason why this was put forth.

PRESIDENT MARTONI: Thank you.

MS. HEIDELBAUGH: Another point?

PRESIDENT MARTONI: Another point.

MS. HEIDELBAUGH: So we're having problems with deciding on whether our millage is correct, and we can't decide whether our millage is correct because the appeals process keep going on, commercial and residential. So we just extended the appeals period, and we've extended the uncertainty; right?

MR. CAMBEST: Well, I don't accept your premise that we're having a hard time deciding if our millage is correct.

MS. HEIDELBAUGH: Some people are having a hard time.

MR. CAMBEST: Yes, that is --- it does add more appeals; you're correct.

PRESIDENT MARTONI: Thank you. Roll call.

MS. DANKO: Can I say one more thing?

PRESIDENT MARTONI: Yes, you may.

MS. DANKO: In response to Council member Heidelbaugh, some people might say that. Some people might say this will make for a fairer process.

PRESIDENT MARTONI: Thank you. Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: Yes.

MR. CATANESE: Mr. DeFazio?

(No response.)

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: No.

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: Nay.
MR. CATANESE: Mr. Martoni, President?
PRESIDENT MARTONI: Yes.
MR. CATANESE: Ayes, 12, noes, 2. The bill

passes.

PRESIDENT MARTONI: 7382-13, Committee on Parks,
Second Reading.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania authorizing an agreement with the South Park Area Radio Kontrol Society, (SPARKS), for the operation and management of the Model Aircraft Field located in the County's South Park. Sponsored by the Chief Executive.

MR. PALMIERE: Mr. President?

PRESIDENT MARTONI: Mr. Palmiere.

MR. PALMIERE: I move for approval of this. It was before the committee about a week ago, and it was unanimous that we move for approval.

MR. MACEY: Second.

PRESIDENT MARTONI: Moved and seconded.
Question? I believe that's a roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Mr. Danko --- Ms. Danko.

Excuse me. I'm sorry.

MS. DANKO: Aye.

MR. CATANESE: Mr. DeFazio?

(No response.)

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, 14, noes, 0. The bill

passes.

PRESIDENT MARTONI: 7383-13.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing an agreement with the South Park Youth Football for the continued use of the concession stand located above the Oval in South Park. Sponsored by the Chief Executive.

MR. PALMIERE: Mr. President?

PRESIDENT MARTONI: Yes, Mr. Palmiere.

MR. PALMIERE: We move for approval.

MR. MACEY: Second.

PRESIDENT MARTONI: Moved and seconded.

Question? Roll call.

MR. FINNERTY: No, I have one question.

PRESIDENT MARTONI: Oh, I'm sorry. I didn't see you.

MR. FINNERTY: I should have asked this question at the first --- the first ordinance there. Are these people paying a rental charge?

MR. BAECHLE: Yes.

MR. FINNERTY: And Andy, could you come up and ---? I think it's very important that people understand.

PRESIDENT MARTONI: Yeah. It's your question.

MR. FINNERTY: The SPARKS, the first one?

MR. BAECHLE: They're paying \$200 annually, and this is their first year they've ever paid.

MR. FINNERTY: Okay.

MR. BAECHLE: South Park Youth Football, they're paying \$200 annually plus maintaining the building. In the past, they put --- they painted it, put new gutters, new entrance door, service window, electrical and plumbing enhancements.

MR. FINNERTY: Okay. Thank you.

PRESIDENT MARTONI: Anybody else? Yes, Vince.

MR. GASTGEB: Thank you. I was at the --- I guess, last Wednesday we had the master plan by the Parks Foundation. Andy was there and John, if you'll let me talk about this, one of the ---. First of all, it's great news that the fairground is getting the first phase of refurbishing. There's been some instrumental games over at the fairground, but this certainly is going to be a pretty big project, and a lot of people did come out. What's important to note; you might think, well, that part of the fairground is under construction, and what does this exactly mean?

The building in question is on the top level, kind of across from the County police station, if you're familiar with the area. This will be operational. And what's good about that is South Park Football, and they were there in attendance. That's why, John, with your permission, came up to me and we were talking. They can still sell their concessions and make some profits with the kids, so I think that's important. So even though there's some construction going on, there will be some --- the window is the fall. South Park Township Community Days will still come so you can be there and do some dancing and have ribs if you like to eat, from whatever end.

But the good thing here is we're doing something good for the youth, and they can continue with their fundraising activities, and I think that's important to note. Thank you.

PRESIDENT MARTONI: Thank you. Okay. Roll call.

MR. CATANESE:	Mr. Burn?
MR. BURN:	Yes.
MR. CATANESE:	Ms. Danko?
MS. DANKO:	Aye.
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, 14, noes, 0. The bill

passes.

PRESIDENT MARTONI: 7384-13.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing an agreement with The South Park Theatre, for the operation and management of the theatre. Sponsored by the Chief Executive.

MR. PALMIERE: Mr. President?

PRESIDENT MARTONI: Mr. Palmiere, I believe that's still you.

MR. PALMIERE: Yes, thank you. This organization, The South Park Theatre, has been there for years. It's been operating from all indication --- Andy, am I correct that we've never had a problem? I think that's a wonderful addition to the services the park renders. And Andy, if you care to comment any further on that, please do.

MR. BAECHLE: They've been a part of the fabric of the park for 25 years. They're a RAD asset. They have quality performances. We own the building. They pretty much run the business out of it. They're going to pay us a revenue of \$500, and they're going to put \$6,000 or \$7,000 towards a new roof.

MR. PALMIERE: Mr. President, I move for approval, please.

MR. FINNERTY: Second.

PRESIDENT MARTONI: Moved and seconded.
Question? Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.
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, 14, noes, 0. The bill

passes.

PRESIDENT MARTONI: 7385-13.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing an agreement with Adventure Forest LLC, t/a Go Ape, for the design, construction and management of a treetop adventure course and zip line course in North Park, to be known as Go Ape North Park, LLC. Sponsored by the Chief Executive.

MR. PALMIERE: Mr. President?

PRESIDENT MARTONI: Yes.

MR. PALMIERE: This is something really new and something exciting, and I'd like Andy to elaborate on it.

PRESIDENT MARTONI: Andy?

MR. BAECHLE: Okay. Thank you, Councilman. Go Ape responded to Request Proposal Number 6946. The bid was received. Go Ape's mission is to support the health and sustainability of parks in the communities they serve. The course provides two to three hours of outdoor fun, environmental education and exercise. Clients will have

the opportunity to explore the park from otherwise unattainable vantage points, while navigating through the treetops using zip lines, obstacles and Tarzan swings. Go Ape has been in business for 11 years, with 30 courses and over 3,000,000 participants safely going through their courses. They've given us a \$5,000,000 insurance policy. Go Ape agrees to design, construct and manage the treetop adventures and zip lines in North Park. The location of such is between Pierce Mill and the tennis courts. There's a little clump of trees in front of the boat house. There's pine trees, about two to three acres. They will rent the top of the trees. We still can walk our dogs and enjoy the surface on the ground.

Their contract, we're asking for a ten-year contract, with two five-year renewals at the County's discretion. They'll charge 55 bucks a person 18 years and older, \$35 for a person 17 --- or 10 to 17 years of age. They will also construct a 400-square-foot building to use as their office and ticket window. That building is ours at the end of their contract, or we may ask them to take it with us, whatever is our choice. Go Ape will assume all costs related to the construction, management and operation of the course. And then we had to agree to a defined fee, not a percentage, of what they bring in.

So year one will be a fee of \$20,000. Year two will be \$27,000, which is about a 26-percent increase. Year three will be \$35,000, and year four will be \$35,000. And year five through ten will be \$40,500 or three percent of whatever they bring in, whichever number is higher.

PRESIDENT MARTONI: Okay.

MR. PALMIERE: Move for approval, Mr. President.

MR. FINNERTY: Second.

PRESIDENT MARTONI: Question? Heather?

MS. HEIDELBAUGH: Was the \$5,000,000 insurance policy --- was that the full value? It seems low to me in regard to the costs of litigation and potentiality if --- with that kind of an injury, if there was an injury, it would be a catastrophic injury. \$5,000,000 would not cover it at all. So how was that vetted?

MR. CAMBEST: I don't know the answer to that, because I've not read the insurance policy. What we do is when that's typically --- the activity is --- the extent. When the solicitor that works in our Parks Department --- that's the number that was recommended to us through Wes

(phonetic), our insurance consultant. I've not read the policy. That's where we get those numbers.

MS. HEIDELBAUGH: How high is the zip line?

MR. CAMBEST: Twenty (20) or 30 feet, but you cannot fall more than a foot or two. You're tied in at all times.

MS. HEIDELBAUGH: Unless it fails --- unless the system fails?

MR. CAMBEST: Correct.

MS. HEIDELBAUGH: I have a question whether that's enough, because the county would be left uninsured. So if you had --- for instance, if somebody fell and they were a quadriplegic, you're talking about a \$100 million case. So we would be exposed, and we would have enormous exposure if there was an injury.

MR. CAMBEST: There's a Tort Claims Act that would kick in. We're capped at 500, but the insurance, you know, is there on an annual basis, too. Claims like that probably fall into one of the exceptions under the Act. You'll have exposure, but we're still capped ---

MS. HEIDELBAUGH: For a zip line?

MR. CAMBEST: --- under the Municipal Tort Claims Act.

MS. HEIDELBAUGH: For a ---?

MR. CAMBEST: Yes, if it's not an intentional act of any kind. If anything, there would be a negligence part. We do get indemnification on top of the insurance from the vendor, I guess I would call it in this case, so ---.

MS. HEIDELBAUGH: But they're not going to have assets.

MR. CAMBEST: You're probably right, and that's why we have the insurance, so ---.

MS. HEIDELBAUGH: Okay.

PRESIDENT MARTONI: Okay. Next question is Mike, Matt, then John.

MR. FINNERTY: I think at the committee meeting that we had, that \$5 million was part of the insurance. Wasn't there a \$10 million also in regard to this?

MR. CAMBEST: I didn't want to mention that, because I can't remember exactly what it is, but there was also a \$10 million ---.

MR. FINNERTY: I think there's a \$10 million rider or something.

MR. CAMBEST: And then one of you asked the owner of the company if there's ever been a serious accident.

MR. FINNERTY: Right.

MR. CAMBEST: And he said the most serious accident he had was a sprained ankle, and I did check on that.

PRESIDENT MARTONI: Okay. Matt?

MR. DROZD: You know, I'd really like the idea, don't get my wrong. Those are innovative ideas and when you do innovative ideas it would attract more people to our parks. And I've watched your expressions, Mr. Solicitor, as you sat there. And I still have some concerns that we haven't crossed the Ts here. Andy, did you check on other facilities?

MR. BAECHLE: Yes, sir, I did.

MR. DROZD: And what did you get?

MR. BAECHLE: I've called all their references and e-mailed all their references, and I got glowing reports from two of them, and the third one did not respond.

MR. DROZD: Why didn't they respond?

MR. BAECHLE: I only had a day and a half. I made the inquiries yesterday morning. One called, one e-mailed and the third one didn't respond.

MR. DROZD: My concern about this is that there's 30 operations across this country they have.

MR. BAECHLE: No, 30 worldwide. Allegheny is the fourth one in the country.

MR. DROZD: Fourth in the country. I think we need to check with every one of those four before we vote on this. And I think we need to read that insurance policy cover to cover. We're rushing on this. I really have concerns about this and --- because I don't want to expose --- you know, you're right. You know, one --- one issue --- you know, it's like this. An attorney friend and I think the solicitor will --- any attorney will verify this. You can see the Pope if you want to; am I wrong?

So that could tie us up in years of litigation. So I think we better check this more thorough and look that we have enough coverage on this. This is something that's not --- you know, when you do this, this is very serious stuff. It really is. And it can cause some really serious injuries. So I think we --- I think, for

me, I'd like ---. I'm not going to vote on this tonight. I'm going to vote no if we vote on it tonight.

PRESIDENT MARTONI: Okay.

MR. DROZD: Okay.

MR. FUTULES: I'd like to make a comment.

PRESIDENT MARTONI: Go ahead. Yeah, we can't see you. Go ahead.

MR. FUTULES: Okay. Can you hear me?

PRESIDENT MARTONI: We can hear you loud and clear.

MR. FUTULES: I think it was discussed at our County meeting --- at the Parks meeting, that the liability concern for the zip line was one issue, but everything we do in County parks, skating, skiing, boating, it doesn't matter what, there's a degree of liability probably in everything that we do. To shove this off because of a worry about this specific entity, I think would be foolish.

PRESIDENT MARTONI: Okay. Thank you. Jan?

MS. REA: Thank you, Mr. President. I think Mr. Futules touched on --- I wanted to tag on to what Ms. Heidelbaugh said. What about the ski slopes? What are they insured for? And is the height that different from on a chairlift at Boyce Park or not? I don't know. And I guess I'm agreeing with ---. I understand Ms. Heidelbaugh's concern, but I'm also agreeing with what Mr. Futules is saying, that there is a lot of --- you know, at your risk. Do you skate? Do you ski? Do you, you know, whatever, any other activity and bike ride? I think in North Park, probably, the most accidents are caused by people on their bikes hitting into pedestrians walking. So I just do want to make sure that we are insured properly for the activity. Thank you.

PRESIDENT MARTONI: Thank you. Jim, go ahead.

MR. ELLENBOGEN: I have a couple questions. How big of an area does this cover?

MR. BAECHLE: Two acres, maybe three; a very small clump of trees.

MR. ELLENBOGEN: I understand the concerns of my colleagues in terms of the safety of this. And I would assume that they have their own inspectors. I'd like to know what, if any, County inspectors will oversee this, also. You know, it's one thing going on the word of a company that brings in their own inspectors, as opposed to County inspectors, our own people going in there and

saying, well, this is safe, this is not. And what kind of an interval would that be?

MR. BAECHLE: I would make the case that it's a good idea. We would have to hire someone. I'm unaware of anyone on my staff that has that expertise.

MR. ELLENBOGEN: Does Public Works have anybody that has that expertise? We have engineers in Public Works. I would think that somebody in there --- I mean, if these guys inspect the bridges, I think somebody knows how to inspect a zip line --- just a thought. Or even a short contract, because I think it's a great idea. The only thing that I am uncomfortable with is that we don't have anybody of our own looking at this thing on a regular basis. You see what I'm saying? And I think --- I mean, I don't know how my colleagues feel about that, but we should have our own people looking at this thing, as opposed to just --- you know, just doing what works for them; you know?

And I did want to make a comment about the insurance. When I was at Public Works, Chief Inspector of the city, it was routinely that if you got a huge crane on top of a building downtown, that the City of Pittsburgh was only required \$5 million of additional insurance. So that has in the past been like a standard practice. And trust me, if a crane falls off a building, that's pretty catastrophic. So I just wanted to make that comment.

PRESIDENT MARTONI: Okay. Jim?

MR. BURN: Thank you, Mr. President. As a trial attorney, I agree with Councilwoman Heidelbaugh's concerns. It's probably not a bad idea, Chairman Palmiere, just to ease the concerns of some of our colleagues. I think this is well intended, but to ease those concerns --- well-founded concerns, quite frankly, I would think is probably in all of our best interests to just move it back in and do a little more diligence on the insurance on this issue. But it seems like an outstanding idea. But there may be some comparables to some of the skiing and the skating and some of the other outdoor amenities that this county has. It might not be a bad thing to err on the side of caution in a situation like this. That would be my concerns. Thank you, Mr. President.

PRESIDENT MARTONI: Well, in order to do that, I would need a motion.

MR. GASTGEB: Mr. President?

PRESIDENT MARTONI: Yes. Oh, I'm sorry. I didn't see you on that side. Vince.

MR. GASTGEB: Okay. I just have a couple questions. The two other or the three other parks that they have that are in the United States, ---

MR. BAECHLE: Correct.

MR. GASTGEB: --- are either one of the three in a public park or are they a private development?

MR. BAECHLE: One is in Maryland-National Capital Park and Planning. I talked to the director yesterday. She raved about their safety, about their paying the bills and how much of an asset it's been to the park. The second one was in James City County Parks and Recreation. I talked to the Director, John Carnifax. He raved, said it was the best partnership of all the partners he had. The third one is also in a public park, Indy Parks. The director, Jen Pittman, did not return an e-mail or a phone call from me.

MR. ELLENBOGEN: Then if they are in public parks, I guess, would you know if it would be standard procedure that they would use \$5 million in each of the instances? Is our price comparable with the other ones, as far as insurance goes?

MR. BAECHLE: I can ask that question. I'd be glad to ask that question.

MR. ELLENBOGEN: Thank you.

PRESIDENT MARTONI: Thank you.

MR. BAECHLE: What did you say? Fifty (50) million I thought you said.

PRESIDENT MARTONI: He said \$5 or \$10 million.

MR. BAECHLE: Since I don't have it written down, I don't want to tell you anything I'm not positive of, but I believe it's a \$10 million cap, \$5 million individual.

PRESIDENT MARTONI: Go ahead.

MS. HEIDELBAUGH: If we could get a small opinion on whether the Tort Claims Act would put a ceiling, then I would be --- you know my concern. The only other thing I wanted to mention, in regard to the skiing, there's a State law that says if you ski and you get hurt, you assume the risk. So skiing isn't a really great analogy to this, because there's protections to ski operators. So that's all I wanted to say.

PRESIDENT MARTONI: Okay. Jim?

MR. ELLENBOGEN: The only comment I want to say is --- and you guys looked a little bit unsure. I know there's people that inspect the ski slopes, and I would defer to Chairman Macey. I know there are people in Public Works who have the ability and engineers to inspect this thing. And I'm not going to vote on this until I have assurance that somebody that works for the county is going to look out for something that maybe a private corporation might say, well, you know what? We can go maybe another year with it, or whatever. That's my --- I'm real uncomfortable with that. And as a Public Safety Chairman, I would be remiss to think otherwise. Thank you.

PRESIDENT MARTONI: Bob?

MR. DROZD: Okay. I'd like to put that motion on the table.

PRESIDENT MARTONI: I called Bob, who you're not.

MR. DROZD: Oh, I'm sorry.

MR. MACEY: Yeah. Thank you, Mr. President, and members of Council. I think it's real important that we have inspectors. And if we don't have inspectors --- and I think we certainly have qualified inspectors for our ski slopes and other Public Works areas --- we can certainly train them. I appreciate your concern, Councilman, and we'll see that that's done.

PRESIDENT MARTONI: Well, we're going to have to withdraw this; right?

MR. DROZD: No, we're going to table ---.

MR. FINNERTY: I think that we have a motion on the floor and we have a second.

PRESIDENT MARTONI: Right.

MR. FINNERTY: All right? Now the procedure should be what, Jared?

MR. BARKER: You need a motion to say ---.

MR. DROZD: Well, a motion to approve it and send it back ---.

MR. FINNERTY: Wait. He wasn't --- he's out of order.

MR. BARKER: No, you can table ---.

PRESIDENT MARTONI: What do we do, Solicitor? You said we can make a motion to table this?

MR. CAMBEST: Second on a motion to table this.

PRESIDENT MARTONI: We need a motion to table this.

MR. DROZD: I'd just like to make a motion to send it back to committee. I want to correct that, I guess.

MR. CAMBEST: Then you've got to withdraw the motion.

MR. ELLENBOGEN: Can I make a motion to send it away ---?

MR. CAMBEST: Can't we do one motion ---?

PRESIDENT MARTONI: Yeah, one motion at a time. Let the solicitor lead us on this.

MR. CAMBEST: He withdraws his motion to table.

MR. DROZD: I withdraw my motion to table.

MR. CAMBEST: All right. Now what do you want to do?

MR. DROZD: Okay. Now I'd like to make a motion to send this back to committee.

PRESIDENT MARTONI: We have a motion on the floor to send this back to committee.

MR. ROBINSON: Second.

PRESIDENT MARTONI: Second. Question? All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: The ayes have it. Send it back to committee. Is that okay?

MR. ELLENBOGEN: No. I had a question that I wanted to ask.

PRESIDENT MARTONI: Ask it anyway. It's going back to committee.

MR. ELLENBOGEN: Well, all I wanted to say was this should not go to Parks. This should go to the combined Public Works/Parks Committee, so that you have the ability to bring in the engineers who could tell you who's capable of inspecting this thing and who's not. Because God forbid if something happens and you have private companies that are inspecting this. Councilwoman Heidelbaugh and Councilman Burn (sic) are exactly right. We're going to be hung out on a hook here, because we didn't do our due diligence to make sure ourselves that this is safe.

PRESIDENT MARTONI: Hey, Jim, we just had a motion to send it back to committee. We can send it back to both of those committees.

MR. ELLENBOGEN: Well, I'm just saying, if you send it just to Parks, you can't bring the Public Works people in.

MR. FINNERTY: You can bring anybody you want in.

PRESIDENT MARTONI: Right. Go ahead.

MR. FINNERTY: Let me say, I think it's good that it's going back to the committee because people were unsure up here. I also think that some people should appear at the committee and ask some questions. I mean, it's great to ask these questions, but with a committee meeting, you can ask them, but you have to come.

PRESIDENT MARTONI: That's a really good point. Our committee meetings sometimes are very weak because a lot of us don't focus on that. Thank you for saying that. For those of us who elected it should go back to committee, make sure we're at the committee.

MR. ELLENBOGEN: I have a Point of Order.

PRESIDENT MARTONI: Please do it.

MR. ELLENBOGEN: You know, it's easy to cast aspersions on people that don't go to committee when you're retired. But there are some of us who have kids in school that have to actually work all day and then sometimes just can't make it all the time. So I just want to make that point clear to the public.

PRESIDENT MARTONI: Your point is clear. We know that.

MR. ELLENBOGEN: Well, I want the public to be clear about that.

PRESIDENT MARTONI: Okay. Well, they're not here to ask, so ---.

MR. ELLENBOGEN: Well, I want to make them aware of it.

PRESIDENT MARTONI: Yes.

MR. PALMIERE: Mr. Baechle, before you leave --- Andy, if I may?

MR. BAECHLE: Yes?

MR. PALMIERE: I'd like --- besides the concerns that were mentioned here today by my colleagues, I'd also like you to check with that third company and get a response from them, will you, please?

MR. BAECHLE: Oh, I'll continue to call them.

MR. PALMIERE: So you can have some documentation from them also next time; okay? Thank you, Mr. President.

PRESIDENT MARTONI: Thank you and thank everybody for a very, very enlightening conversation on this. Okay. 7295-12.

MR. CATANESE: A resolution of the County of Allegheny adopting the Shannon Transit Village Tax Increment Financing Plan presented by the Redevelopment Authority of Allegheny County, creating the Shannon Transit Village Tax Increment Financing District and making certain findings. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Thank you. Amanda, this is you.

MS. GREEN HAWKINS: Thank you, Mr. President. I have recently learned of some deficiencies with this bill, and I'd just like to request that we move it back to committee, please.

MR. ROBINSON: Second.

PRESIDENT MARTONI: Okay. That's it.

MR. DROZD: So it's going back to committee?

PRESIDENT MARTONI: It's going back to committee.

MR. DROZD: Okay.

PRESIDENT MARTONI: Thank you.

MS. GREEN HAWKINS: Thank you.

PRESIDENT MARTONI: Liaison Reports. Who's first here? Go ahead, Bob, you're first.

MR. MACEY: Thank you, Mr. President, and members of Council. I had the pleasure of going to the Regional Trail Corporation retreat on January 26. I serve on that Board. And I've got some good news for those people who hike and bike the trails. There's going to be a lot of improvements done, including things such as water fountains, restrooms, the repairing of the trails and other amenities. But one of the most important things that's going to occur, and that's going to happen at the end of April or sometime in May, and that's the completion of the Grand Allegheny Passage in the areas of the Keystone Metal and Sandcastle.

The celebration will be taking place on June 15. We don't have all the details, but you know it will be down around the Sandcastle area. And this may be falling on deaf ears because this won't be aired until this Friday, but there is a public hearing on the Marcellus Shale, and it will be held this Thursday at the Robert Morris School Center. And it's regarding Bill Number 7387-13, an ordinance authorizing --- and the lease of minerals underlying the real property at the Pittsburgh International Airport. This is a real important meeting,

and I would tell my colleagues and others to sign up and be there to air your concerns or air your approval of it. Thank you.

PRESIDENT MARTONI: Thank you. Mike, I believe you were next.

MR. FINNERTY: Yes, thank you. I'd just like to mention that Local Union Number 5 IBEW is opening their joint apprenticeship program, and they're located at 5 Hot Metal Street, Suite 100, Pittsburgh, PA, 15203. And there is no telephone number on this, and the reason there isn't is because you have to show up to get that application. And the dates that are --- sorry. The dates that they're going to be giving out applications and accepting them is March 12th, 13th, 14th, 15th and 16th, from 9:00 to 1:00 p.m. That's 9:00 a.m. to 1:00 p.m. So if you're interested in that, you can stop in and get that.

And since there's no telephone number, you could always look it up in the phone book, by the way. I'd just like to mention that to you. Thank you.

PRESIDENT MARTONI: Thank you. Anyone else? Yes, Amanda.

MS. GREEN HAWKINS: Thank you, Mr. President. Just to catch people up on Port Authority news, Steve Bland was terminated without cause this past Friday, February 1st, by a majority Board vote. Ellen McLean, who is the CFO, is the Interim CEO until we find a replacement for Steve Bland. We also elected new Board officers. Jeff Letwin was elected as Chair. Tom Donatelli was elected as the Vice Chair. Constance Parker was elected as the Treasurer and John Tague was elected as the Secretary. We also heard the news about 2.25 percent increases that were given effective February 1st, 2013 to unrepresented employees, and were rescinded on February 2nd, 2013 amidst concerns that they were given with no thought or analysis or as some sort of last minute dig.

I'd like to disabuse you of those concerns. I was one of several Board members who asked the former CEO, Steve Bland, to look into a pay raise for the Port Authority officers and for unrepresented employees. On February 1st we agreed to reopen it, in fact, for the Port Authority police to discuss an increase. And the former CEO made effective a 2.25 percent wage increase for unrepresented employees. This is something that I was well aware of well before Friday, February 1st. I work for a union, and I want dignity and respect for all

workers, including those not in a bargaining unit. That's why I asked the former CEO to look into these increases months ago. Notably, the increase represents --- represented at this point a wash, because of healthcare contribution increases for these employees. Now what they have essentially is a pay cut. Thank you.

PRESIDENT MARTONI: Thank you. New Business. Ordinances and Resolutions.

MR. PALMIERE: Mr. President?

PRESIDENT MARTONI: Yes.

MR. PALMIERE: Excuse me. Point of Order, please?

PRESIDENT MARTONI: Go ahead.

MR. PALMIERE: I just also wanted to mention congratulations to the Clairton Volunteer Fire Department. They had their 25th anniversary banquet on this past Saturday. And I want to publicly thank Councilman Macey for filling in for me admirably, like he always does. And I just want to congratulate everyone in Clairton and their fine volunteer fire department. Thank you.

PRESIDENT MARTONI: Thank you. Okay. None other; right? No other ---? Okay. New Business. Ordinances and Resolutions. 7413-13.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, permitting the use of certain County-owned property by Prevention Point Pittsburgh. Sponsored by Councilman Palmiere.

PRESIDENT MARTONI: Public Works Committee. 7415-13.

MR. CATANESE: A resolution of the County of Allegheny, amending the 2012 Capital Budget for Allegheny County. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Budget and Finance Committee. 7416-13.

MR. CATANESE: A resolution of the County of Allegheny, amending the Grants and Special Accounts Budget for 2013 (Submission 2-13). Sponsored by the Chief Executive.

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

MS. HEIDELBAUGH: President Martoni?

PRESIDENT MARTONI: Yes. I'm sorry.

MS. HEIDELBAUGH: I have another ordinance.

PRESIDENT MARTONI: Okay.

MS. HEIDELBAUGH: And while this is being handed out, if I could just briefly tell the Council what it is.

PRESIDENT MARTONI: And would you turn your mic up?

MS. HEIDELBAUGH: I'm sorry.

PRESIDENT MARTONI: That's okay.

MS. HEIDELBAUGH: This is an ordinance that I alluded to when County Executive Fitzgerald was doing his state-of-the-county address. What this ordinance would do is establish a rebuttable presumption when a homeowner uses an appraisal conducted by a certified appraiser within two years from which the property bill is filed, and that the PAAR Board would have to accept this as competent evidence that no other certified appraisal was produced into evidence. If there was another certified appraisal introduced into evidence, that it would --- that the PAAR Board could decide which one they wanted to go with.

Now, it's my understanding that yesterday Judge Wettick ruled that a certified appraisal does not have to be accepted by the PAAR Board. But he didn't have this ordinance as a law, number one. Number two, I would like this referred to committee. There may be some preemption issues with State law, which I'll have to talk to the County Solicitor and Mr. Cambest probably about. It's very complicated, but this would be a very pro-homeowner legislation. And also, it would potentially address this class action lawsuit that's filed against the county that the homeowners introduced appraisals, and they were not given correct validity.

MS. REA: I'll second the motion.

MS. HEIDELBAUGH: Thank you.

PRESIDENT MARTONI: Moved and seconded.

MR. BURN: Point of Order. The motion and the second were to put the bill on the agenda?

PRESIDENT MARTONI: That's what it's for.

MR. BURN: Okay.

PRESIDENT MARTONI: Am I correct; that's what it's for, to put it on the agenda?

MS. HEIDELBAUGH: Yes; to then be referred to committee.

MR. BURN: And then once on the agenda, it would need to be read into the minutes?

MR. GASTGEB: Yes.

MR. BURN: Okay.

PRESIDENT MARTONI: And then it goes to committee; correct?

MR. GASTGEB: It goes to committee.

PRESIDENT MARTONI: We just need a voice vote on it; correct?

MR. GASTGEB: Yeah.

PRESIDENT MARTONI: All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Okay. So ordered. Okay? It's on the agenda. Okay?

MR. CATANESE: I'll read the caption.

PRESIDENT MARTONI: Read it.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania amending and reforming Article 207 of the Administrative Code, entitled New Board of Property Assessment Appeal and Review, to create a presumption for actual value of real property, for the purpose of property assessment appeals based on certified appraisals.

PRESIDENT MARTONI: Thank you. I'm going to put it in committee, and I'm debating in my head what committee. Government Reform sounds like the right committee. Are you okay with that?

MS. HEIDELBAUGH: I think so.

PRESIDENT MARTONI: Okay. It's going to Government Reform Committee. Thank you.

MS. HEIDELBAUGH: Thank you.

PRESIDENT MARTONI: Okay.

MS. DANKO: Mr. President?

PRESIDENT MARTONI: Yes.

MS. DANKO: I just wanted to clarify, you sent the 7413-13 to Public Works; is that correct?

PRESIDENT MARTONI: That is correct, I believe. Let me look. 7413, Public Works; yes. That's where I sent it, the ---.

MS. DANKO: Okay. I wasn't sure if that was Health and Human Services. Prevention Point Pittsburgh

MR. FINNERTY: That's Health and Human Services.

PRESIDENT MARTONI: Okay. Why don't we change that officially?

MR. FINNERTY: Do we need to have to have a motion to ---?

MR. GASTGEB: No.

MR. CATANESE: He can redo it.

PRESIDENT MARTONI: I just want to --- we're going to --- Jack, we can just send it the ---. Thank you. Thank you.

MR. GASTGEB: Point of Privilege, Mr. President?

PRESIDENT MARTONI: Yes, please.

MR. GASTGEB: If you'll bear with me, I have prepared remarks to read tonight. I did put my glasses on, because this was a couple months ago and Mr. Finnerty called me out on where I misread. And I'll put my glasses on from this point forward, so ---.

PRESIDENT MARTONI: Please do.

MR. GASTGEB: Thanks. This is concerning me. It's a prepared remark. Allegheny County Councilman Vince Gastgeb is announcing his resignation effective today after this meeting. I've decided to withdraw from the County Council in the path to make a positive difference. It's that same path and desire to make a difference that I plan on bringing to the Pittsburgh International Airport. While staying on Council --- while staying on Council had been ruled and opined as legal by the County Council Solicitor, the appearance could exist for unintended conflicts that could arise with being a public official.

And I want neither the appearance or any conflict nor any potential conflicts of any kind. I also thought it best to exercise an abundance of caution and remove any such appearances, no matter how small. My service in the community has been through a part-time body, coupled with decades of private sector work. I felt this decision was best for everyone and was the right thing to do and for the right reasons.

As a father of four, I ran for this position to make a better future for all the children. I've really loved being on County Council and I've embraced the position as an activist member with pride. I can look back at my involvements with the Allegheny County Park System as an example of the many positive results, especially within South Park. I've worked hard trying to help people to make our region better. In every case, I've always exercised with the highest level of integrity and trust to the people with whom I serve. But now a new captain is calling me to bring that same passion and drive to make a positive difference at our airports.

I'm very excited to have this opportunity, and just like all other aspects of my life, I will deliver results. I have many ideas and plans that I have been

formulating after four decades of professional sales and marketing strategies, coupled with meetings and engaging in dialogue with our corporate leaders and government officials that County Council has afforded me. For 13 years on Council, I have thought what a different business and governmental relations thought process could really mean at our airport. I have traveled on business to other airports and have always had a concern for making Pittsburgh International Airport a greater utilized facility. The airport is viable to work in and a large economic generator in the region. There needs to be a sales and business focus externally to effectively communicate with the corporate community and related stakeholders, to succeed with a strategic execution, with the goal of increasing air travel through Pittsburgh International Airport.

Working at the position, I look forward to helping, with the Executive Director and the team, in growing passenger accounts, the number of flights and resolve foreign and government relations in Harrisburg. Having decided not to seek a new term anyhow, I feel like I am leaving Council just a little early after a job well done and to move on to another important position. I appreciate your confidence in me, and that confidence will, in turn, exceed expectations, the same way I believe I have performed in work with my colleagues and staff that I have been fortunate enough to serve and who I will miss. However, I will not --- however, I'm not really leaving never to be seen, but rather to be seen with all of you working as a team.

I'm going to go off script here for a second because I want to thank staff and my colleagues. I can't even remember how many I've worked with. But a lot of people look at County Council and say, why do you want to be on it? What do they really do? It doesn't seem like it's important. It was always important to me, and I know it's always important to all of you. You know, we do get a stipend here, but I think when we're done paying our way and paying our Community Days and the candy we always seem to have to buy for that, we're probably in the hole. So it really is a labor of love. So to share that with all of you means a lot. And to be here for 13 years in the citizens' legislature, despite the criticism I've gotten, I've been a citizen legislator for the whole time.

So I thank you, and I really thank staff. I can't tell you how great you've been, the administration, all three Executives. Republican or Democrat, it shouldn't matter on the local level. If we start pulling punches because we have to agree what party we're in, I think we're doing ourselves a disservice to our constituency. And I'll kind of finalize this prepared remark. County Council has been a labor of love for me. It has made strong gains with a relatively new legislative body. I would like to think I played a small part in that transformation of those gains. It is the same vision of transformation that I plan on bringing to Pittsburgh International Airport. Thank you.

PRESIDENT MARTONI: Thank you.

(Applause.)

PRESIDENT MARTONI: I have to say you never played a small part. You've been a leader here since the very beginning and we were blessed to have you.

MR. GASTGEB: Thank you.

PRESIDENT MARTONI: We're very sad you're leaving us. Michael, you have ---?

MR. FINNERTY: Yeah, thank you. Vince, we're going to miss you. You brought views that were passionate and you always thought were best for the people of Allegheny County, and that's important. We've had some heated debates, but they were honest debates. And that's what's important. I think you're going to do a great job at the airport, and I think you've done a great job here. We thank you very much, and we're going to miss you.

MR. GASTGEB: Thank you. I have to ask you a question.

MR. FINNERTY: Sure.

MR. GASTGEB: You do recognize me as a Republican?

MR. FINNERTY: No, I recognize you as a citizen of Allegheny County, of Pennsylvania and the United States of America.

MR. GASTGEB: Thank you.

PRESIDENT MARTONI: Jim?

MR. BURN: Mr. Ellenbogen was ahead of me.

PRESIDENT MARTONI: I'm sorry. I can't hear you sideways, so ---.

MR. ELLENBOGEN: Vince, I have served with you for about six years, and I just wanted to say that you represent what, really, the people want, whether you have

a D on your label or whether you have an R. We've disagreed about a lot of different things, from unions to whatnot. But you've always conducted yourself as a gentleman. You've always tried to put the people first. And you've always taken the hits, and you've always been a class guy. And I just have to say this. Some of the things that have been said in the last few days I think have been unfair. For anyone to even suggest that Vince Gastgeb would make some kind of a deal does not know Vince Gastgeb. And I'll go on the record to say that. You're a class act, Vince, and you always will be. It's my pleasure to serve with you.

MR. GASTGEB: Thank you.

MR. BURN: Thank you, Mr. President, and members of Council. Vince, I wish you the best. And for anybody out there, any political science student or anybody who studies or follows the art of this business, you exemplify the difference between the art of politics and the business of governing. And you and I will probably never stand side by side on election day and pass out the same slate card, but that shouldn't matter and it has never mattered here. I've been here since I ran in '05 and I got on in '06. We have always --- once we've gotten past the art of the politics and the campaign, always worked for the best interests of this county.

And despite the fact that you are a well respected leader locally and statewide as a Republican party person, you were also as well respected and revered as an elected official, irrespective of party affiliation. And I'll say that not just as a former chairman of the county, but the chairman of the Pennsylvania Democratic party. I've worked with you here as councilmen, not as a Democratic party person, but as an elected official, as you have sat here as an elected official.

And I'm proud of the bipartisan nature in which all of us have done business up here, you and I, in particular. Some of the ordinances and proposals that you brought into the committee when I was public safety chairman, some of the ordinances and proposals that you worked on with me in a bipartisan fashion when I had the honor to serve as president of this council last year, is an exemplification of your willingness, your leadership and your ability to put down those party banners when it comes time to do the business of government here in Allegheny County and across this state.

And because of your abilities and your skills and your gifts, I have no doubt whatsoever that in your new role, you will bring leadership, innovation and vision to an agency that needs it, that has been looking for it. You will be most welcome there, and you will help with all of us to move that entity into a positive direction. I wish you the best to you and your family. It's been a pleasure to work with you.

MR. GASTGEB: Thank you very much.

PRESIDENT MARTONI: Someone had their hand up. Jan, go ahead.

MS. REA: I don't think I can say anything more than Jim said, but you'll truly be missed on Council. Your constituents will miss you, and it was just an honor to serve with you. And you've always served with dignity, and you've always respected your colleagues on Council. I just can't say enough. Thank you.

PRESIDENT MARTONI: Bill?

MR. ROBINSON: Thank you, Mr. President, and members of Council. Vince, as you know, we've had a very positive relationship, both personally and professionally. I thank you for the confidences that we have shared, that have not been betrayed. In this day and age, I won't say it's a rare quality, but it's one to be admired by those of us who are in politics and government, when we can say something to a person openly and honestly and not hear it repeated or printed the next day. So I thank you for that. I also thank you for the manner in which you have conducted yourself in the Budget and Finance Committee, as long as I've been Chair.

You have always presented your position as you believed it to be. You've always voted the way you believe things should be. I also respect you for that. You were here when the committee process that we have now was shaped, and you had input into that. And you have lived by that process, respecting it, respecting the people who process it, and respecting the staff who have to make it work. I will miss your wisdom, your insight and your commitment, which has been touched upon by several of my colleagues.

I believe that the job you're going to do at the Airport Authority is going to be exemplary, because that's the way you conduct yourself politically and governmentally. I do not begrudge you any successes that you've had politically or governmentally or personally. I

only can wave you on to bigger and better things and hope that when we meet, we can say kind things to one another and bypass the partisan considerations to have those quiet, confidential conversations, which more often than not have led to positive conclusions for both you and I. The best to you and your family, and if I can do anything to assist you in your new position or in any other area of your life, please call upon me. Thank you, Mr. President, and members of Council.

MR. GASTGEB: Thank you, Bill.

PRESIDENT MARTONI: Yes. John and Heather.

MR. PALMIERE: Thank you, Mr. President, and members of Council. I called Vince the other day and congratulated him on his new position. And I said to him at the time, I didn't believe a darn thing that was printed in the paper and all the criticism that he received, because that's not the Vince Gastgeb that I know. And I told him then and I just reiterate, I hold him in high regard and have the deepest respect for him. And one of the things that I've always felt so important to be a member of any governing body is to be able to cooperate, to collaborate and to compromise. And Vince Gastgeb is a shining example of those three things of what it takes to be a good government official, and I thank you, Vince. It's been a pleasure knowing you.

MR. GASTGEB: Thank you, John.

PRESIDENT MARTONI: Heather?

MS. HEIDELBAUGH: I know you a little bit differently, since you are my councilman and have been for 13 years. And I couldn't say any more accolades than already have been said by people who have served with you and who have seen you on a daily basis. But I will say that seeing you at every single picnic, every single municipal event, sharing a beer and having a hot dog, for 13 years you have devoted yourself, not only to the work of the government but also to meet --- excuse me --- meeting with your constituents and spending a lot of time away from your family.

We probably owe a debt of gratitude to your wife and your children for sharing you. That goes unnoticed by the public at large. So we thank Mrs. Gastgeb and the Gastgeb kids, and thank you for your service. I'll be partisan for a moment. Thank you for your service to the party. It has been a lengthy amount of service. I'm sure you'll still be participating. But thank you, also, for

your good government issues. I know that you have really devoted yourself to the betterment of the parks in your district and in the South Hills. And all the children that participate and get to enjoy the parks owe you a debt of gratitude, so thank you very much. And thank you for helping me when I first came on.

MR. GASTGEB: You're welcome. Thank you.

PRESIDENT MARTONI: Yes? I don't know who put their hand up.

MS. DANKO: I've only been on Council not even two years, but I have to say Vince Gastgeb is one of my favorite people here. Like a couple of people have said, some of the things that were written about Vince were --- that's not the Vince that we know. And I was actually one of the people who urged him to not resign from County Council. You know, we have a legal opinion, asking him --- saying that he is legally permitted to say ---. I understand the appearance of conflict of interest, but I also know that, you know, when we're in an area this size in Allegheny County, on any given day, on almost any issue we vote on, there could be someone who might have to recuse themselves on a particular issue.

We have several people on Council who are deeply involved in CCAC. Myself, I've been a faculty member there in the past. You know, we have people who represent law firms that are doing business with the county or an authority.

So you know, on some level, I feel a little bit like Vince was, in a sense, bullied into this resignation. That being said, I want to end on a positive note and say Vince and I worked very closely on the re-districting last year, which, as most of you remember, was ---. At the end of the day, I think almost everybody here was --- I don't know if it was 15 to nothing or 14 to 1; I forget, but you know, we --- you look at a lot of different governmental levels, and the districting can be very painful and usually goes to court.

That didn't happen here, and that's partly because of Vince. We do have pretty good bipartisan working relationships throughout County Council, not on every issue, but we do try. And I think part of that is because of the leadership that Vince has brought on the other side of the aisle. I thank him, and I'm going to miss him.

MR. GASTGEB: I'll miss you, too. Thank you.

PRESIDENT MARTONI: Go ahead.

MS. GREEN HAWKINS: Thank you, Mr. President. I shared some remarks --- some comments here with Vince privately, but I'll also share this. Not that I'm one to --- but something that he said that just sticks with me a lot, is that when you show me who you are, I have to believe you. And so the fact that Vince is here resigning from County Council to avoid the appearance of any impropriety says a lot about who he is. And he has shown us who he is tonight, and I have a great deal of respect for you, Vince.

MR. GASTGEB: Thank you.

MS. GREEN HAWKINS: It's been a pleasure to work with you.

MR. GASTGEB: Thank you.

PRESIDENT MARTONI: Vince, we thank you for all your years of service with us, mostly for your friendship, okay? You're a great man to work with. Thank you.

MR. GASTGEB: Thank you.

MR. DROZD: Hey, I get a chance.

PRESIDENT MARTONI: I'm sorry, Matt.

MR. DROZD: Yeah. I'm going to miss those hot dogs, by the way.

PRESIDENT MARTONI: The important stuff now.

MR. DROZD: No, in all fairness to Vince, you know, this was an agonizing decision. And I always put the test of a person --- in my military experience it is always putting their people before themselves. In all the conversations I've had with Vince recently was always about his constituents. What was the right thing to do? Not the politically right thing to do, what was the right thing to do? And he really agonized over this, because he loves serving, like all of us do. You know, when Vince said it probably costs us more than what we make, it does cost us more than what we make. At the time --- you know, at least not forget our constituents. This is a part-time position and --- but full-time effort and heart is put in by each one of these council people.

And Vince does that on a daily basis all the time. And secondly, he was really criticized about his credentials on this. Do not forget, this position carries one-half of his legislative liaison, and Vince is one of the best in the business when it comes to that. He's well networked, not only at this county level and the state level, but at the federal level. So he's going to bring a

particular expertise to that. There's probably no other resume that you could pick up ---. On the one side, he fits the marketing expertise, something that they very badly need. On the other side, it'll bring this regency and not just to the airport but to our constituents, that political contact and that political network. So he's well and more than well qualified for this position, and he's taken a very, very courageous act tonight.

And lastly, I'll say this. When it's all said and done, when we're all gone and all the smoke clears, the test of a person, whether it be male or female, is what Vince has met. And what he's met is --- look at his family. He has a beautiful family. He has a beautiful wife, a good, loving, caring person, four beautiful children. And that's a product of Vince and his wife and his family. And that's the test. And if you have to mirror what Vince is and what a good person he is, all you have to do is look at his family and you'll see. He stands the test and he meets it every time. I'll miss you.

But we're not going to miss you because we'll probably see you tomorrow talking about legislative issues. I know Vince. He'll be right at it, not when he starts on the 19th. He's been thinking already, right now. He's ready to go and hit the deck running. Good luck, Vince.

MR. GASTGEB: Thank you, Matt.

PRESIDENT MARTONI: Good luck. Notification and Communications. 7417-13.

MR. CATANESE: Communication from County Manager William McKain summarizing approved executive actions for all departments, from 12/1/12 to 12/31/12.

PRESIDENT MARTONI: We no longer have a quorum. Do we need one?

MS. GREEN HAWKINS: We're not going to need one.

MR. ELLENBOGEN: We don't?

PRESIDENT MARTONI: I guess not.

MR. PALMIERE: If Jan stays, will we have a quorum?

MS. REA: I'll stay for a few minutes.

PRESIDENT MARTONI: Okay. Motion to receive and file?

MR. PALMIERE: To receive and file.

MR. FINNERTY: Second.

PRESIDENT MARTONI: Second. Question? All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered. Thank you. Thank you, Jan. Public Comment on Agenda Items. Eric Vaccarello. Did I say it right here?

MR. GARDNER: My name's Don.

PRESIDENT MARTONI: Don.

MR. GARDNER: And that's Eric Vaccarello (changes pronunciation).

PRESIDENT MARTONI: Vaccarello.

MR. GARDNER: He's not here.

PRESIDENT MARTONI: He's not here. Don, you're up. Don Gardner; okay?

MR. GARDNER: Thank you.

PRESIDENT MARTONI: You're on, Don.

MR. GARDNER: Okay. Thank you. Thanks for your time. My name is Don Gardner. I live in Crafton. I called on the 28th about my reassessment or whatever. And I think --- is Mr. Finnerty my councilman?

MR. FINNERTY: Yes, he is.

MR. GARDNER: Yeah. They said you were going to call back. I haven't gotten a call back yet, so I came down and ---. But what I wanted to bring up was that --- well, I have a question. The people that have the informal or the formal, whatever they call it, where you're in a pea pod, or whatever, a little pod, and you had your appeal, are they qualified? Do they have a real estate license or are they like certified appraisers, you know, like when you just had it recorded into a tape recorder? Do you know the procedure and how they ---?

MR. FINNERTY: Did you have it at Kane?

MR. GARDNER: Pardon?

MR. FINNERTY: Did you have it at Kane or did you have it down here?

MR. GARDNER: I had it down here.

MR. FINNERTY: Okay.

MR. GARDNER: But you were in a hallway and then they just took you in. And you went into like a little --- it was, like, a call center or something. And the lady sat you down and then she just put on a tape recorder. Is that the woman that makes the decision on your --- you know, on your appeal? Or does it go somewhere else and like are people certified that do it?

MR. FINNERTY: I can't answer that question.

MR. GARDNER: Okay. And then I have another question here. On the letters that they sent out with our --- the reassessment or the assessment on it, you know, where they lowered it or whatever. At the bottom it said you have 30 days from the mailing date of this disposition, and --- in accordance with the Pennsylvania Rules of Civil Procedure and applicable laws. And up at the top it says December 28th. And I was sick all month, and when I got these letters for my property, it had 30 --- I just ran in real quick because I was so sick. I had the flu and I ended up getting bronchitis and that. But I saw the 30 days and I said, oh, I got 30 days. So then here I --- time flew by because I was just so sick. And then I looked and I was looking at the --- it said December 28th on this, but the envelope was January the 2nd.

So this sat in this building here for days until after the new year, and I never received it at my house until January the 6th --- or the 5th, I mean, on a Friday --- or Saturday.

MR. FINNERTY: Don, we can take care of that.

MR. GARDNER: Huh?

MR. FINNERTY: We can take care of it. Did you get your appeal?

MR. GARDNER: Yeah. Yeah, I got my appeal and it was like --- and I'm not happy with it, because I don't like the procedure that they do and all that, because do you remember when Saber (phonetic) Systems, you know, were retained? And I appealed that. Okay. Well, I told people about everything that wasn't on my house like he keep telling me I have four bedrooms. I don't. I've been looking for the other two, because I would like it, because sometimes people stop over and sleep there. And they have to sleep on the couch, you know? And so they tell me I have a total of eight rooms, which, you know, like I said, there's two missing, you know?

And then out here they tell me I have a total living space of 1816, and I only have, well, 1500. And then it tells me that I have a full basement. I only have a one-room basement. And you know, I have a back yard, a separate lot from my house, and it's landlocked. It's totally landlocked. And when I bought them, they were bought by a joint deed. You know what I'm talking about, a multi-deed? And yet every time they say that I bought the back property for \$27,500 and my house for \$27,500,

and then they take off from there. And my back property that's back there that's landlocked, like I said, they tell me on this thing here that I have a driveway, that I have off-street parking. There's no way to get to it.

MR. FINNERTY: Why don't we ---? You know, why don't you stop and I'll take care of it right now. We'll come down and talk about it. All right?

MR. GARDNER: Okay. You know, I spent all this money to make all these here copies. I'm on disability.

MR. FINNERTY: Yeah.

MR. GARDNER: And I spend all this money and had to come down and park and --- and then they only took one copy, because I thought I was going in front of a Board, which they tell you to have a copy for everybody or whatever. So I don't know. Did you extend the time period?

MR. FINNERTY: Yeah, we did.

MR. GARDNER: Did you extend it today for us to be able to appeal it again, because I don't feel that I got ---. I got a raw deal, is what I have.

MR. FINNERTY: Don't take off. Stay here. All right?

MR. GARDNER: All right. Do you want me to go over here?

MR. FINNERTY: Yes. Just have a seat.

MR. GARDNER: Okay.

PRESIDENT MARTONI: Okay. Is there a motion to adjourn?

MR. MACEY: Motion to adjourn.

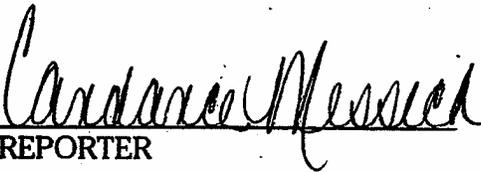
MS. GREEN HAWKINS: Second.

PRESIDENT MARTONI: Motion to adjourn, second. Questions? Meeting adjourned.

MEETING ADJOURNED AT 6:37 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