

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

Dr. Charles J. Martoni	-	President, District 8
Nicholas Futules	-	Vice President, District 7
John P. DeFazio	-	Council-At-Large
Heather S. Heidelbaugh	-	Council-At-Large
Matt Drozd	-	District 1
Jan Rea	-	District 2
James R. Burn, Jr.	-	District 3
Michael J. Finnerty	-	District 4
Krista Harris	-	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, March 19, 2013 - 5:00 p.m.

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

IN ATTENDANCE:

Joseph Catanese - Director of Constituent Services
Jared Barker - Director of Legislative Services
William McKain - County Manager
Walter Szymanski - Budget Director
Andrew F. Szefi - County Solicitor

PRESIDENT MARTONI: This meeting of Allegheny County Council will now come to order. Please rise for the Pledge of Allegiance, led by Krista Harris.

(Pledge of Allegiance.)

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

(Moment of silent prayer.)

PRESIDENT MARTONI: Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Here.

MR. CATANESE: Ms. Danko?

MS. DANKO: Here.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Here (via telephone).

MR. CATANESE: Mr. Drozd?

(No response.)

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: I'm here.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Here.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Here.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Present.

MR. CATANESE: Ms. Harris?

MS. HARRIS: Here.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Here.

MR. CATANESE: Mr. Macey?

MR. MACEY: Here.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Here (via telephone).

MR. CATANESE: Ms. Rea?

MS. REA: Here.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Present.

MR. CATANESE: Mr. Martoni, President?

PRESIDENT MARTONI: Present.

MR. CATANESE: Fourteen (14) members currently present.

PRESIDENT MARTONI: Proclamations/
Certificates.

MR. CATANESE: All the proclamations and certificates will be read into the record.

7474-13. Proclamation celebrating women in Science, Technology, Engineering and Mathematics (STEM) fields and declaring March 2013 as Women's History Month in Allegheny County. Sponsored by Council members Danko, Green Hawkins, Harris, Heidelbaugh and Rea.

7475-13. Certificate of Achievement awarded to Mr. Bradley Walter, of Boy Scout Troop 368, upon earning the rank of Eagle Scout. Sponsored by Councilman Drozd.

7476-13. Proclamation recognizing Jamie's Dream Team and Ms. Jamie Holmes, for being named a KDKA Hometown Hero for her work to make dreams come true for the seriously ill and injured. Sponsored by Councilman Macey.

7477-13. Certificate of Achievement awarded to Mr. Samuel Durant, of Boy Scout Troop 99, upon earning the rank of Eagle Scout. Sponsored by Councilman Macey.

7478-13. Certificate of Recognition awarded to Mr. and Mrs. Howard and Mary Frances Artman, upon the occasion of their 50th wedding anniversary. Sponsored by Councilman Macey.

7479-13. Certificate of Recognition awarded to Ms. Anna Baglos, upon the occasion of her 105th birthday. Sponsored by Councilman Macey.

7480-13. Certificate of Achievement awarded to Mr. Dustin Wichelmann, of Boy Scout Troop 1111, upon earning the rank of Eagle Scout. Sponsored by Councilmen Martoni and Macey.

7481-13. Certificates of Achievement awarded to Mr. Maximillian Erb, Mr. Nathan Phillips and Mr. Victor Watson, of Boy Scout Troop 184, upon earning the rank of Eagle Scout. Sponsored by Councilman Martoni.

7482-13. Proclamation declaring Saturday, March 23rd, 2013, Bon Ami Temple Number 49 Day in Allegheny County. Sponsored by Councilman Robinson.

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

MR. CATANESE: We have none.

PRESIDENT MARTONI: None. Approval of Minutes.

7484-13.

MR. CATANESE: Motion to approve the minutes of the general meeting of Allegheny County Council, held on February 5th, 2013.

MR. ELLENBOGEN: So moved.

MS. GREEN HAWKINS: Second.

PRESIDENT MARTONI: Moved in second. Question? All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered.
Unfinished Business.

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

PRESIDENT MARTONI: Presentation of
Appointments. 7483-13.

MR. CATANESE: Approving the appointment of
Robert D. Hurley, to serve as a member of the Allegheny
County Port Authority Board, for a term to expire on
December 31st, 2016. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Appointment Review
Committee. Unfinished Business. 7469-13.

MR. CATANESE: A resolution of the Council of
the County of Allegheny, authorizing the pursuit of a Tax
Increment Financing Plan to pay for a portion of the cost
of the redevelopment of the Hazelwood-Almono Brownfield
site in the neighborhood of Hazelwood, City of Pittsburgh,
Allegheny County, Pennsylvania. Sponsored by the Chief
Executive.

PRESIDENT MARTONI: Okay. Amanda?

MS. GREEN HAWKINS: Thank you, Mr. President.
Move for approval.

MR. ELLENBOGEN: Second.

PRESIDENT MARTONI: Moved in second. Question?
Question?

MR. ROBINSON: I was wondering if the Chair of
that committee can tell me, what would be the amount of
money over the duration of this proposed TIF, that the
county would have to forego?

MS. GREEN HAWKINS: Well, this is just a motion
for us to participate in the development of the plan, and
the Economic Development Department will come back with
us --- to us with that amount and other information
regarding this whole ---.

MR. ROBINSON: If I might, Mr. President, just a
follow-up. Ms. Green Hawkins, when you indicate that they
will come back to us, who is us and who is they that will
come back to us with the specifics?

MS. GREEN HAWKINS: Okay. I'm sorry. For
purpose of clarification, they are the Economic
Development Department, along with the developer, to offer
any further information; and us would be County Council.

MR. ROBINSON: I apologize for asking you these
questions when it's obvious you don't have all these

answers right now. So I'm not going to put you on the spot. I'm just trying to set the tone for questions later if the Council itself is going to be in that --- involved in that process. Or will this issue simply come back to your committee?

MS. GREEN HAWKINS: Oh, I'm sorry. Yes, a Council representative will be on the --- will be part of the meeting to the development of the plan, to provide information to us. Perhaps --- I see Mr. Strul in the audience. Perhaps he could help me clarify if I'm not saying things correctly.

MR. STRUL: You're doing good.

MS. GREEN HAWKINS: Okay. Thank you, Mr. Strul. But yes, usually it's our --- I'm trying to remember your name, Walt; excuse me --- Walter Szymanski, who sits in the meetings on behalf of County Council. So we do have representation during the development of the plan. Am I answering the question?

MR. ROBINSON: Yes, ma'am. Let me just make a comment, if I might, to the President and members of Council. My concern is based on the amount of money that the county will forego and how that money might impact on our fiscal situation. If, indeed, we are not going to collect tax dollars, regardless of the amount, that means those are tax dollars we could not figure into any plan for a budget in the years that this TIF would be in place, if we decide to participate. So that's the basis of my concern, is the financial impact of granting a TIF, given the fact that we already have financial issues to address.

MS. GREEN HAWKINS: If I may, Mr. President; I think I see where you're going. And I think at this point, it's probably premature to talk about monies that we would forego as a result of the TIF, because that's something that would have to come later in the process for our approval. So at this point, there's nothing before us to really talk about in terms of money that we would forego.

MR. ROBINSON: If I might, Mr. President and Ms. Green Hawkins, I would suspect that anyone in this county who is promoting this TIF, has some of the answers that I'm trying to seek from you or anyone else in Economic Development --- and they probably have the answer to the financial issue --- it seems to me, rather than wait until everything is in, it might be to our advantage --- the Council's advantage, to get as much information as we can

as soon as possible. If I'm wrong, that that information I'm requesting is not available, I'll give everybody on this Council \$5,000. I guarantee you, the information is available. We don't have it. I agree with you; we don't have it. And maybe no one is prepared to offer it to us, but it wouldn't take long to calculate what it is. So I'm just trying to keep us as informed as possible; and also, to be bold enough to suggest to you that maybe there's additional information that you might need that has not been provided to you because someone else is determined that the time is not right. I'm not trying to put you on the spot or anyone else. I'm just saying the information I'm requesting is available. And if I'm wrong, I'll give everybody on this Council \$5,000.

MR. ELLENBOGEN: Cash money, no checks.

MR. ROBINSON: Yes, sir. You want cash?

MR. ELLENBOGEN: Yeah, we want cash.

MR. ROBINSON: Okay. I'll give you cash. It'll take a little while, but I'll get it if I'm wrong. But I guarantee you I'm not wrong.

MS. GREEN HAWKINS: I appreciate the inquiry. And if I could, Mr. Strul, could you --- if I may, Mr. President.

PRESIDENT MARTONI: Yes, you may.

MS. GREEN HAWKINS: I'm going to ask if I could get any further information he may have.

PRESIDENT MARTONI: You don't get \$5,000.

MR. ROBINSON: He's going to put it in writing.

MR. STRUL: The question that's put forth is --- as I understand it, is how much is the county going to forego if this is ultimately approved? Let me say that I don't think the county will forego anything if this project is approved, simply because we won't represent the project as being a valid TIF project if, in fact, this project can go above the TIF. So therefore, I don't think the county would be foregoing anything. The point I'm trying to make is that this project, if it needs a TIF --- what that means is, the project can't go without the TIF; you know, if the project doesn't go, the county's not giving up anything it doesn't already have. We're talking about future expected tax increments that will only occur if the TIF occurs. And I don't think that we can characterize us as giving away anything at this stage. The valuation of what the ask is, is something that needs to be developed through the planned process, as I think

Councilwoman Green Hawkins has already said. There has been a number that has been bandied around; perhaps, I think, has indicated that the TIF would be the largest TIF in the city's history. But I don't think that that's necessarily a fair clarification of what is actually expected to have, so ---.

PRESIDENT MARTONI: Thank you. Another question?

MR. ELLENBOGEN: Does that mean we don't get \$5,000 coming?

MR. ROBINSON: No, sir. He certainly proved me right.

MR. FINNERTY: But no, I just wanted to emphasize a few things. Number one, this property is already paying County taxes, paying school tax. It's paying city tax. In a TIF, a TIF doesn't mean that the land is untaxed. The land is taxed. When a TIF is done, it's talking about what's built above the ground, or I guess, basements. But the land itself continues to pay the taxes it pays today. And as it goes on, the whole development is finally realized. By the way, this development is --- as Maurice said, is one of the biggest ones --- going into it, probably the biggest one around here. When it's finished, it's going to be \$1 billion development. And it's the old J&L Coke Works, if you know where that is, so it's quite a big thing. We're talking right here --- and obviously I'm for it --- about just pursuing it, looking into it. Should we want to participate, that has to be another complete ordinance, and it has to be vetted again through committee and Council. So that's where we are in this process.

PRESIDENT MARTONI: Thank you.

MR. FINNERTY: Thank you.

PRESIDENT MARTONI: Mr. Ellenbogen?

MR. ELLENBOGEN: Well, generally, when you let Mike go ahead of me, I run the risk of him stealing my thunder and he's done it again. But I do want to say that the thing I would focus on is the \$1 billion that --- towards the development. I think that's good for everybody; you know, particularly in that part of the city. That to me is the next part of the city that's going to grow, as did the hospital area within Councilwoman Hawkins' district. So I like it. Thank you.

PRESIDENT MARTONI: Mr. Drozd, do you have something?

MR. DROZD: I would assume the school district and the city has already signed off on this; is that correct?

MR. STRUL: Yes.

MR. FINNERTY: Yes, they have.

MR. STRUL: The school district; the city has. They signed on.

MR. FINNERTY: Yeah, it was in the paper.

MS. GREEN HAWKINS: Could we ask Mr. Strul?

PRESIDENT MARTONI: Yeah, ask him.

MS. GREEN HAWKINS: Have they signed off on it, sir?

MR. STRUL: For the record, yes.

PRESIDENT MARTONI: The answer is yes.

MR. DROZD: You know, if you ride through that corridor through those areas you see, time and time after, more and more storefronts and areas that are closing. The community is really having some difficulties. It's probably one of the most, let's say, torn in the essence of not developing within those areas and those communities. It seems to me it makes all the sense in the world to do something like this. Thank you.

PRESIDENT MARTONI: Wait. We have ---.

MS. REA: Thank you, Mr. President. Is this --- Ms. Danko, is this your district?

MS. DANKO: Yes.

MS. REA: Would you speak to it and why you feel it's important?

MS. DANKO: This is basically in the Hazlewood neighborhood. It stretches from --- if you go down the Mon River beyond where the development already occurs from CMU and Pitt at those buildings there, it takes it farther down. And then there's a mix of uses and then there's also going to be housing --- high density housing there. It's an area of the city that really has needed attention for some time, since the J&L site was basically abandoned. It's a long-term project; it's a huge project. It's had a lot of foundation support, you know. And as has been stated here, this is just the beginning phase to, you know, look at it, say we're interested, talking about this. We're interested in possibly participating in a TIF. This is not the final review. And I think it has the potential to be a really good project for the city and the county. Thank you.

PRESIDENT MARTONI: Thank you, Barbara. Bill?

MR. ROBINSON: Are you finished?

PRESIDENT MARTONI: I'm sorry. Were you finished, Jan?

MS. REA: No, I just wanted --- I was at the meeting and I feel exactly the way you do. But since it was your district, I just wanted you to speak to it. Thank you.

PRESIDENT MARTONI: Thank you. Bill, I think you were next.

MR. ROBINSON: Thank you, Mr. President. Thank you, Mr. President and members of Council. Thank you very much for your attention to what appears to be an unorthodox approach that I took in reference to this matter, is very orthodox. I want --- out of respect to Ms. Green Hawkins, first and foremost, who I'm sure would have been as diligent as I have been to date relative to this project, and also out of respect to my colleagues, Ms. Danko and others, who have more intimate knowledge of the proposed site --- I think the point I was trying to make has been proved. So there won't be any \$5,000 for every member of Council. I would not have made that proposal if I wasn't sure that no one could collect it. But I think the fact that some members already have expressed support for a project that doesn't exist, speaks to my concern that we get as much information as we can, as soon as we can, and that we not be dragged in lastly thinking this is the greatest thing since sliced bread. Everyone is entitled to their opinion and their assessment. I simply wanted to make sure that Ms. Green Hawkins had the opportunity to get all the information she would need on our behalf, and that I could ask some relevant questions at the appropriate time, and this is one of those appropriate times, before --- before we start saying this is a great project. I don't know whether it's a great project or not. The last time I rode through Hazlewood, there was nothing on this site, except some dirt and some rocks. So I think that this unorthodox approach, which is very orthodox, was helpful, at least to me, because now I know where some of my colleagues are going to be or think they're going to be on this project. And I have a better idea of the tax implications, if any. Whether or not it's going to benefit the county, whether or not it's a good idea, I don't know. From what I can gather, this wasn't the county's idea. This was an idea generated by the City of Pittsburgh, maybe by the mayor or

the council members, and we're tagging along. In other words, this is not our TIF; in other words, we didn't start this. We're being asked to participate, more reason to get as much information as we can, unless someone over in the city called some of you and shared with you the information that we got from the experts and others. I'm just trying to be helpful. Thank you, Mr. President and members of Council.

PRESIDENT MARTONI: Thank you, sir. Mr. Macey.

MR. MACEY: Thank you, Mr. President and members of Council. And I appreciate your concern, Councilman Robinson. However, I'm in favor of this. And if you want some more information, that particular ground, all of the ground, is shovel ready. Thank you.

PRESIDENT MARTONI: I guess Mr. Drozd.

MR. DROZD: Yeah. I would venture to say, there's probably not a lot of taxes being obtained from that site. That site is a non-use site, is what I would assume, because that site has no productivity on that site. So there's probably not generating --- probably very low, because I know; I got a site like that in my district --- had a site like that, owned by a major corporation that didn't pay any taxes on it because it's a non-productive site; is that correct? I would assume that.

MR. STRUL: The taxes are very low.

MR. DROZD: Very low; so we're getting nil, nothing out of that. We really need to take some risk. Now this isn't risk. When you say this, we need to take some enterprising venture and investment in this. This is a good project, and I would urge just ---. We really need --- I hear you; you know, I understand your concerns, Mr. Robinson, very good points. Don't get me wrong. But we really need to make this the best, for this is the future of our country --- the future of our region, I mean, and our county and particularly the city that really needs that injection. Thank you.

PRESIDENT MARTONI: No more hands up. I'm going to call for a roll call vote.

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: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. CATANESE: Ms. Harris?
MS. HARRIS: Yes.
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Yes.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. Martoni, President?
PRESIDENT MARTONI: Yes.
MR. CATANESE: Ayes, 15, no, 0. The bill

passes.

PRESIDENT MARTONI: Liaison Reports.

MR. FINNERTY: I do have some different opportunities for employment here from the building trades. Western Pennsylvania District Council 57, Joint Apprenticeship Program, is going to be open --- their offices are in 101 Ewing Road. It's Carnegie, PA, 15106, and the telephone number is 412-276-6061. And these are good jobs, and if you are interested, you should give District Council 57 a call. They're in Carnegie. Also, I believe I mentioned the Apprenticeship and Journeyman Education and Training Fund of the Cement Masons Union Local 526, before. They're located on California Avenue --- 2606 California Avenue. The ZIP code is 15212. The telephone number is 412-761-6310. And if you're interested in becoming a cement mason, that would be the place you want to go. Also, this apprenticeship program is going to be closing. It's March 19th, 20th, 21st, 22nd, 23rd. And this is Local Union Number 5 IBEW. It's on the South Side at 5 Hot Metal Street, Suite 100. The

ZIP code is 15203. And if you do want to get in on that apprentice program, you have to appear in person. And it's from nine a.m. to one p.m., either March the 19th, 20th, 21st, 22nd, 23rd. And that's all I have.

PRESIDENT MARTONI: Anyone else? New Business, Ordinances and Resolutions. 7485-13.

MR. CATANESE: An ordinance of the Council of the County of Allegheny, ratifying amendments to Allegheny County Health Department Rules and Regulations pursuant to Section 12011 of the Local Health Administration Law, 16 P.S. Section 12001. Sponsored by the Chief Executive.

PRESIDENT MARTONI: It goes to the Committee on Health and Human Services --- okay. Sorry. 7486-13.

MR. CATANESE: An ordinance of the Council of the County of Allegheny, ratifying amendments to Allegheny County Health Department's Rules and Regulations pursuant to Section 12011 of the Local Health Administration Law, 16 P.S. Section 12001. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Committee on Health and Human Services. 7487-13.

MR. CATANESE: An ordinance of the Council of the County of Allegheny, ratifying amendments to Allegheny County Health Department Rules and Regulations pursuant to Section 12011 of the Local Health Administration Law, 16 P.S. Section 12001. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Committee on Health and Human Services. 7888-13 (sic).

MR. CATANESE: 7488-13?

PRESIDENT MARTONI: Yes.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Article 912 of the Administrative Code of Allegheny County entitled, E-Verification, to ensure that labor performed pursuant to any contracts to which the county is a party or involves County property, is not undertaken by the individuals who lack employment authorization under federal law, as defined by 8 U.S.C., Section 1324a, Sub-section (h), Sub-section (3). Sponsored by Councilman Robinson.

PRESIDENT MARTONI: Committee on --- Mr. Robinson --- Government Reform. Do you want to say anything?

MR. ROBINSON: Thank you, Mr. President. Just very briefly, this is the follow-up to my concern about undocumented workers. And the purpose of this legislation

is to make sure that undocumented workers are not working in Allegheny County on projects on County property or projects funded by the County of Allegheny. Thank you, Mr. President and members of Council.

PRESIDENT MARTONI: Thank you. 7489-13.

MR. CATANESE: A resolution of the County of Allegheny, Commonwealth of Pennsylvania, urging Governor Corbett and the Pennsylvania General Assembly, to re-start the adultBasic program for uninsured Pennsylvanians. Sponsored by Council members Burn, Futules, Macey, Palmiere and Martoni.

PRESIDENT MARTONI: Mr. Burn, I think.

MR. BURN: Thank you, Mr. President and members of Council. Thank you for the co-sponsors. By way of some history, I wanted to give a little background to my colleagues as to the genesis of the program, where it was and where we hope to continue again. Back in 2002, the adultBasic program was created in order to provide healthcare for lower income Pennsylvanians who did not receive health insurance from their employers or --- and earned too much money to qualify for Medicaid and was too young to receive Medicare, folks who were in a --- in sort of a limbo stage through no fault of their own, that didn't have the means to --- to find healthcare. The adultBasic program was the answer to that --- the solution to that variable. It covered major surgery. It didn't cover dental costs, prescriptions. But it was so popular, by late 2010, there were over 40,000 Pennsylvanians enrolled in the program, and it had a waiting list of almost half a million. The prior governor expanded the program, because he was able to negotiate some voluntary payments from Blue Cross insurers. The current administration, unfortunately, had to end the program. One of the main reasons was because some of the insurers that were helping previously had withdrawn their support. So the revenue stream started to dry up and put the current administration in a bad situation and the program was ended. Subsequent to that decision --- it was a difficult decision; we all know that --- legislation was enacted which allowed funding from the Pennsylvania Tobacco Settlement Act to be diverted from adultBasic, because the program had been scrapped. There were some initiatives because of what had happened, because a domino effect took place. Once those funding streams started to wither and go away and the current governor made the

difficult decision of pulling the plug, legislation was then brought in, in an attempt to divert some other resources in other places.

That's when it started. Litigation was filed arguing that that legislation was in violation of the Pennsylvania Tobacco Settlement Act, which specifically required proceeds from the tobacco settlement to be used for the health and well being of Pennsylvanians. The argument in court was, look, we understand that a tough decision was made but that doesn't automatically in and of itself mandate that the General Assembly create legislation to pull further funding away. The lawsuit was filed, and it was urged that this law be stricken as unconstitutional. And just earlier this month, on March 4th, the majority opinion by President Judge Pellegrini in Commonwealth Court struck down that legislation. Again, it was a sequelae to the governor's difficult decision.

It ruled that the administration, beginning with the '13-'14 fiscal year, must --- and it doesn't say may or should think about it. It says they must allocate 30 percent of the settlement funds to adultBasic, specifically, or a similar program, as well as to the medical assistance for workers with disabilities programs. So the purpose of this resolution is just to urge and respectfully suggest to our leadership in Harrisburg, in the Assembly and in the Executive Branch, to simply follow the directives of the majority opinion of Judge Pellegrini. We understand that through no fault of your own, revenue had dried up. You were looking for other streams. You had to make a difficult choice. We understand that. It didn't create --- one plus one didn't equal two. It did not automatically mean that you enact legislation to take further funding and have the lawsuit pushed back. The Judge granted the lawsuit saying it was unconstitutional. Now it is mandated in the General Assembly to put that 30 percent back. And so this resolution is simply to urge our leadership in Harrisburg, in the Executive Branch and in the General Assembly, the legislative branch, to use tobacco settlement funds to re-start the adultBasic program for uninsured Pennsylvanians; 42,000 Pennsylvanians out, 400,000 on a waiting list, didn't have a chance. In the event that the adultBasic, however, is not re-started, then we would ask that the tobacco settlement funds be used to start a similar program and Commonwealth expansion of Medicaid under the

federal Affordable Care Act; 40,000 Pennsylvanians grasping at straws, 400,000 in line.

The solution is right in front of us. And the back-up and the support for it was written by the leader of the Commonwealth Court. I'm not aware of any challenge going to the Supreme Court. This is just a common sense piece of legislation. Actually, it's a resolution just urging these folks to act in a fashion consistent with what the court is instructing them to do. So with that, I'd ask for a motion.

MR. MACEY: So moved.

MR. FINNERTY: Second.

PRESIDENT MARTONI: Okay.

MR. CATANESE: Mr. President, we have to waive the second reading.

PRESIDENT MARTONI: Yes, we do. Do I have a motion on the floor to waive the second reading?

MR. BURN: I would move --- because of the parliamentarian, the first motion I would make would be to waive the second reading and debate this if there's going to be debate and vote on it.

MR. MACEY: Second.

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

MR. ROBINSON: Mr. President, I believe a question ---.

PRESIDENT MARTONI: Question? Yeah.

MR. ROBINSON: Is it appropriate, if I might ---

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PRESIDENT MARTONI: Well, we're just voting on to waive the second reading.

MR. ROBINSON: I understand. I'm just trying to exercise a prerogative, that's all.

MR. BURN: I think we need to have it on the floor, so that you can exercise that prerogative.

PRESIDENT MARTONI: When we get it on the floor, then you get your turn.

MR. ROBINSON: Thank You.

PRESIDENT MARTONI: Okay. All in favor of waiving the second reading?

(Chorus of ayes.)

MS. HEIDELBAUGH: Nay.

PRESIDENT MARTONI: Opposed? So ordered.

MR. BURN: There was a nay over there.

PRESIDENT MARTONI: We have a nay. Okay.

MR. BURN: Mr. President, it's now on the floor?

PRESIDENT MARTONI: Yes, now it's there.

MR. BURN: I would incorporate by reference the remarks I made onto the floor at this time. And after incorporating those remarks, I would now move for approval of the resolution.

MR. DROZD: Second.

PRESIDENT MARTONI: Motion for approval and second. Question?

MR. ROBINSON: Question.

PRESIDENT MARTONI: Time for questions. So you ask first.

MR. ROBINSON: Thank you, Mr. President, and members of Council. I believe Mr. Burn is correct. And to that extent, I'd like to be added as a co-sponsor. Thank you, Mr. President, and members of Council.

PRESIDENT MARTONI: Okay. Now, we have a lot of questions, and I don't know whose hand went up first or second.

MR. ELLENBOGEN: I just have a statement. I don't have a question.

PRESIDENT MARTONI: Go ahead; and then Matt and then ---. Go ahead.

MR. ELLENBOGEN: I defer to the lady first.

PRESIDENT MARTONI: Always the ladies first. Go ahead.

MS. GREEN HAWKINS: Oh, thank you. I agree. I just wanted to make sure I was added as a co-sponsor. I didn't hear my name. Thank you.

PRESIDENT MARTONI: That was quick. Good. Jim.

MR. ELLENBOGEN: No, I'm in an awkward position with this and not the content, but because --- you know, I am a chief enforcement officer for the Pennsylvania Department of Revenue. And I don't --- it's been my policy not to vote on things with my boss's name in it, so ---.

PRESIDENT MARTONI: That's good common sense, actually.

MR. ELLENBOGEN: Yeah. So on that, I'm going to abstain.

PRESIDENT MARTONI: Yeah, that's understandable. I don't know who was next. Matt, did you --- you go next.

MR. DROZD: Okay. Just a quick question, Councilman Burn. You say these monies have already been allocated. They're there; correct?

MR. BURN: Well, under the --- and to answer your question, the Pennsylvania Tobacco Settlement Act was to be used to make Pennsylvanians healthier and provide to the health for future generations of Pennsylvanians. Any attempt to use monies from that in a fashion inconsistent with the intent of the Act, would be unconstitutional. The fact that attempts were made through legislation to divert funds from that action to other places was challenged in court. And Judge Pellegrini agreed with the plaintiffs that you got to use it for something to help with --- for the health, safety and wellness of Pennsylvanians. And the suggestion in the resolution is, let's go back to the plan that had 42,000 Pennsylvanians in it and 400,000 people waiting in line to get into it. And if the General Assembly and the Governor don't want to do that, let's enact something of a similar fashion for the purposes that are consistent with the Act. So that's the crux of it.

MR. DROZD: Where were the funds diverted? Where were they --- where specifically? Do you know how many areas that they said they were trying to divert these funds?

MR. BURN: Well, what I can tell you is based on the Act 46 of 2010; they were going to be diverted. Now my only assumption at this point, not seeing where they were diverted, is to assume they were going to some other part of the Governor's budget for the Pennsylvania --- our Commonwealth's budget that is inconsistent --- that was inconsistent with the Act. I mean, if they were putting them somewhere that would be furthering the purpose of the Tobacco Act, then I don't think a challenge would have been made. So it's just logic to suggest that they were taking the money and using it for something inconsistent with its intended purpose.

MR. DROZD: Just two more questions?

PRESIDENT MARTONI: Sure.

PRESIDENT BURN: Do you want me to go down here?

MR. DROZD: That's alright, Councilman Burn. You're doing well right now from where you are. I would assume there are percentages of these that are residents of Allegheny County; is that correct, in our region?

MR. BURN: Absolutely, absolutely, and in all 67 counties. Some, I guess by population, the percentage is higher or lower. I know that our brethren in the Philadelphia City Council unanimously enacted almost

identical legislation just a couple of weeks ago. My thinking was that a balanced approach in the two largest counties in the Commonwealth, with consistent respectful requests to the administration and the Assembly to at least just take a look at it because it's consistent with the majority opinion, would be a relatively denying way to request them to move sooner rather than later.

MR. DROZD: Lastly, the children; you know, there were funds allocated for the children; you know, the uninsured children. Are they in jeopardy? Is this part of their funds, do you know, or anything that you might have on that, just out of curiosity?

MR. BURN: Well, that I don't have, Matt. My request in the purpose of the resolution was to get the adultBasic reinstated. One of the reasons that this governor had to make the most difficult and unpleasant decision that any leader would have to make was because revenue streams that had existed no longer existed.

MR. DROZD: Right.

MR. BURN: He now has an answer right on the table in front of him. Our revenue stream has landed right on his desk, and it's coming from a Court Order from a lawsuit that was filed. And so the solution has presented itself again. And I would pray that this lawsuit had been the originator of the revenue streams three or four years ago, that created the ability to have the adultBasic program. I would think that it would go to follow that the governor never would have had to make a difficult decision to end the program in the first place. So now through litigation, a revenue stream has been found, and we would just simply request that our leadership of both parties put the money back to where it should have been.

MR. DROZD: And the court mandated it?

MR. BURN: The court said they shall; yes, that's correct.

MR. DROZD: Thank you, sir.

PRESIDENT MARTONI: Any further questions? Yes? I'm sorry.

MS. HEIDELBAUGH: Well, coming here this evening, I did not anticipate that we would be voting on this. And so I am not schooled enough in this litigation to be able to vote tonight. And I would heartily encourage us not to make this vote. As my dear colleague, Mr. Burn, knows, the Commonwealth Court is not the court

of last resort. Mr. Burn, is this going to appeal to the Supreme Court of Pennsylvania?

MR. BURN: Not that I'm aware of, Heather, but it's still in the window, but I don't see --- I haven't seen any petitions for the Supreme Court. And as my esteemed colleague also knows, the Supreme Court is an appellate court that chooses those cases it's going to take. And this case, it is not going to take, unlike the Commonwealth Court, which must hear all cases that are filed before it.

MS. HEIDELBAUGH: Right.

MR. BURN: So if there were to be an appeal to the Supreme Court, our colleagues, there is no guarantee that they will grant it. My opinion is, they'll deny it. The majority --- Judge Pellegrini wrote the decision. I don't think they'll take it. I could be wrong. But again, I'm not talking about an ordinance here. We're simply talking about a resolution. And my colleague would also agree with me that unless there's an appeal such granted as the decision reversed, the decision of Judge Pellegrini is the law of the Commonwealth of Pennsylvania, as we sit here today. And we're getting our leadership of both parties and our governor in answer to a problem that forced that man to make a very difficult decision.

MS. HEIDELBAUGH: Well, to continue with my comments, Mr. President.

PRESIDENT MARTONI: Sure.

MS. HEIDELBAUGH: So if it was March 4th, they have 30 days, at least 30 days, to appeal, so that's going to be sometime in April before we really know. And I also don't know if the only appeal is certain as my colleague has insinuated, based on the underlying case. In addition, what we have here is, we had two houses of the legislature, the House and the Senate, approve a budget proposed by the governor. And so what we're going to do is sit here and second guess based on a case that is not --- based on a case that is not dead, what our colleagues should do with this money. So I'm asking for everyone to wait until we've got this sent to committee, that we can talk about this. There's no rush to this at all. This isn't going to --- nothing is going to happen until at least 30 days until the Supreme Court either takes it or not. So I think we should not have egg on our face and enact a resolution that we haven't thought about.

I haven't looked at any of these things. And this is a very complicated situation, a very complicated case. So I think it is foolhardy for us to rush this for no reason at all.

MR. DEFAZIO: Chuck, I can't hear a thing.

MR. BURN: Mr. President, that's a gross mischaracterization of the facts, and I would suggest to this board that moving on this while 42,000 Pennsylvanians are waiting for healthcare, is much less reckless. And I know we've got our disagreements --- and I'm not saying it was reckless --- than voting on the contract for the drilling. There were a lot of public health and safety concerns. We had a respectful and positive debate. But my colleague who had a conflict on that piece of legislation, still urged this body to vote it up. It was voted up.

And so the recommendation there is, it seemed to be in diametric opposition but a recommendation was made two weeks ago on a much more complex piece of legislation with a much more detailed and exquisite contract, which did not have the law of the Commonwealth Court backing it up when we voted on it. So it also mischaracterizes and makes an incorrect assumption that somebody is going to appeal this to the Supreme Court. And then it goes further to speculate that the Supreme Court, A, will grant petition, and then B, will reverse the decision. Now, this has been on the agenda since Friday, and this is not an ordinance. This is not like we're going up to Harrisburg and trying to push folks around. We are doing this, I would suggest, simply to give a suggestion to the leadership in Harrisburg for the benefit of 42,000 Pennsylvanians that pray every night that they don't get sick.

PRESIDENT MARTONI: Who's next?

MR. DROZD: I'll just real quick point this out. It refers back to when --- spanning the Johnstown Flood, that fund that was created for Johnstown Flood. And those funds were diverted elsewhere, and they still are. So you know, it belongs --- you know, I always like to say, what belongs to Caesar, belongs to Caesar. But this monies belong to people that are in need and they're in this county.

MR. BURN: Right.

MR. DROZD: And for us, we might --- we can't, I don't believe, turn --- it's basic health; basic health.

And I think we have to --- we have to support those people that badly need it right now in our areas, they really do. Thank you.

PRESIDENT MARTONI: Any other comments? Time to vote. Call the roll.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. DeFazio?

(No response.)

MR. CATANESE: Mr. Drozd?

MR. DROZD: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Abstain.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Ms. Harris?

MS. HARRIS: No.

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: No.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Aye.

MR. CATANESE: Mr. Martoni, President?

PRESIDENT MARTONI: Yes.

MR. CATANESE: Ayes, 10, noes, 3, 1 abstention.

It passes.

PRESIDENT MARTONI: Heather, did you have something you'd like to add in regard to that? Then you do it.

MS. HEIDELBAUGH: Thank you; thank you very much. Mr. President, I have a question. It's my understanding that the Administrative Code, Section 5-307.8, states that the County Executive is to attend one regularly scheduled meeting of Allegheny Council each of

the months of March, June, September and December of every calendar year. If he doesn't select a meeting at least 30 days in advance, he's assumed to be attending the second meeting of the months, and he has not attended in March. It gives an extension of up to 30 days if requested in writing by the executive and authorized by Council by a motion. And it's my understanding we don't have a request for an extension.

So I had --- I was hoping that the County Executive would be here today, even though we didn't have an item on the agenda. You will recall on Tuesday, February 19th, during the regularly scheduled meeting of County Council, I asked the County Manager, Mr. McKain, to provide to the Council a list of names of all the citizens that have been asked to sign undated resignation letters and a copy of all the signed, undated resignation letters. I've been informed in person and over the phone, that Mr. McKain will not provide those to me, that only the County Executive will provide those to me.

I have a letter here dated March 19th, which I will supply to Mr. McKain to provide to the County Executive, with a copy to be given to Mr. Barker, so that all members of Council can have that. I've done some legal research, and it appears to me that these undated letters of resignation are ineffective and violate the law. In addition, this came up recently when, on Wednesday, March 13th, Attorney General Kathleen Kane announced criminal charges against a man that we approved by vote of 14 to 1, a Joseph Brimmeier to the Port Authority. It's my understanding that Mr. Fitzgerald indicated to the press that he had spoken with Mr. Brimmeier the night before his indictment and had accepted his letter of resignation. I need to know whether that letter of resignation was an undated letter of resignation which Mr. Brimmeier had provided to the County Executive before he was seated. If so, that letter of resignation, in my view, is invalid, and Mr. Brimmeier would still be on the Port Authority Board.

So I have a letter to Mr. Fitzgerald in regard to Mr. Brimmeier's appointment to the Port Authority and whether he, himself, dated the letter of resignation or whether Mr. Brimmeier did. The Chairman of the Port Authority Board has never indicated publicly, in my understanding, that Mr. Brimmeier resigned to the Chairman of the Port Authority. All this has been reported in the

press, and I've attached those letters. And I would request that the County Council, through the president, inquire of the County Executive why he did not comply with the ordinance which he, himself, proposed and voted in favor of when he was president as Council, that he would appear here in March of this year to address the County Council.

MR. ROBINSON: Mr. President?

PRESIDENT MARTONI: Somebody said something.

Bill?

MR. ROBINSON: If I might comment on Ms. Heidelbaugh's observations; and as a member of Council who initiated with the support of my colleague, including Mr. Fitzgerald, the provision that she references, on this occasion, I agree with her in terms of what the law requires relative to the Chief Executive appearing before this Council under the circumstances that she has cited. Also, as someone who was requested to submit a letter of resignation and who refused, for better or for worse, Ms. Heidelbaugh has raised a very significant and important issue. Do we have people who are presently serving on boards and commissions under the appointment of the Chief Executive, who may feel if they act some way contrary to the way the Chief Executive wants, that their letter of resignation will become enforceable.

I think Ms. Heidelbaugh is absolutely correct that those letters, if they exist, cannot be enforced in a court of law and probably were ill advised in the first place. Now, this Council is being put in a very uncomfortable position of having to respond to one of our colleagues who has been very diligent in her work, and at the same time respond to the issue of whether or not the Chief Executive has the prerogative to submit the names of people he would like to serve on various boards and commissions. It is unfortunate that the example that Ms. Heidelbaugh has used, would negatively impact upon someone who has a myriad of issues to address, and this is probably the least of them.

But I respect my colleague's diligence, and I encourage each and every one of us to take serious what she is suggesting to us, and that we engage, through our president --- try to get some answers for her and for ourselves, because this issue is probably going to come up again and may already have manifested in the appointment

of people we have approved since our Chief Executive took office. Thank you, Mr. President and members of Council.

PRESIDENT MARTONI: Thank you. And we will do that. Michael?

MR. FINNERTY: Thank you. I have a motion I'd like to put on the agenda, if you could pass it out, Jared. Thank you. I need a second to put it on the agenda.

(Chorus of seconds.)

PRESIDENT MARTONI: Moved in second. Okay. All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered. It is now on the agenda.

MR. FINNERTY: Okay.

MR. CATANESE: I'll read the motion of Council of Allegheny County; expressing the sense of Council of Allegheny County opposing the enactment of Senate Bill 4 and advocating for the preservation of municipal authority to evaluate and challenge tax exemptions enjoyed by institutions of purely public charity, pursuant to existing constitutional and statutory authority. Sponsored by Council members Finnerty, Danko, DeFazio, Robinson, Macey, Martoni and Green Hawkins.

MR. PALMIERE: And Mr. President, may I be added as a co-sponsor, please?

MR. CATANESE: Yes, sir.

MR. BURN: Me, too, sir. Thank you.

PRESIDENT MARTONI: Ok.

MR. FINNERTY: Okay. Thank you. If you look at the whereas' there, instead of me reading them, February 5th, 2013, Senate Bill 4 was introduced. It's a means of amending the Pennsylvania Constitution in order to change the standards by which property is being tax exempt when owned by an institution of purely public charity, by inquiring of the General Assembly to the uniform standard and qualifications which shall be --- criteria, I'm sorry --- to determine qualifications as institutes of public -- - purely public charity.

This is an attempt to --- by Senate bill, to get rid of the HUP test, which was placed by the Pennsylvania Supreme Court. It's something that we're at this moment involved in, in the county, as we look at all the tax exempt properties in the county. If this is enacted, this will invalidate the HUP test. And I think it's important

that it isn't done and that the municipalities and counties have the right to look at a charity and find out if it is a purely public charity. And even if it is or isn't, as things stand right now, many, many purely public charities have part of ---. They're established in tax if they are using it to make profits, like renting out a hall, et cetera. Okay? And this --- again, this Senate bill will deprive that, also.

So that's what we're looking at, and this resolution is just saying that we believe that it should stay the way it is at the moment. We've suffered enough by the amendments and --- amendments and reestablishment of this in 1992, which brought many of our huge hospital organizations as a purely public charity. The act was from 1954. And in '92 when they changed it, it brought a lot of other groups that could qualify. Now, again, we're getting in a situation where our legislators in Harrisburg are going to tell us what's best for us instead of the people that are on the front end, saying, what's best, because we're here on the ground? And I think it's important that we, as people that are local municipalities, the boroughs and the counties, have the ability to do this, instead of Harrisburg telling us what to do and then turning around and --- well, I won't go any further.

But turning around, I think, is making it very difficult for us to function. So that's what this is about. Thank you very much. And I thank you for --- I thank you for co-sponsoring this with us --- with me.

PRESIDENT MARTONI: Okay. Anyone else?

MR. ROBINSON: Mr. President, if I might?

PRESIDENT MARTONI: Yes, please.

MR. ROBINSON: The only thing I'll disagree with that Mr. Finnerty said was the wisdom that exists in Harrisburg.

MR. FINNERTY: I would assume that, too.

MR. ROBINSON: Having served there for 14 years, we probably possess as much information as we can gather to make wise decisions for governmental units below us at the county and local level. And oftentimes, the question was raised, who's going to pay for it? And some people felt that unfunded mandates were being passed down, and there's a lot of proof in that. We requested things to be done at the lower levels, and we didn't send any money. That was then, this is now. I'm here now, and I can see

as clearly as Mr. Finnerty can, that our situation begs a local initiative and a local solution, if for no other reason in this county, we have been very aggressive and very fair in trying to determine what our relationship with nonprofits should be, including the Little Sisters of the Poor, who oftentimes people joke about.

But this situation would involve an organization as worthy as the Little Sisters of the Poor. I agree with Mr. Finnerty. We are probably better prepared at this point in Allegheny County, to address this issue, than our distinguished and wise legislators in Harrisburg. Thank you, Mr. President and members of Council.

PRESIDENT MARTONI: Thank you. Heather?

MS. HEIDELBAUGH: I'm sure we'll get into this in committee. But since we've made a motion, I thought I'd alert you to this issue that I have a question about. And that is, if you have a nonprofit who operates in one or more counties, such that, perhaps, you have a nonprofit in Altoona, in Allegheny County and Schuylkill County, and if each county is allowed to make a determination as to whether they're nonprofit, principal place of business in one location, you're going to have counties making illegal determinations that will dispute --- possibly dispute a finding of a nonprofit status.

And so the question then becomes whether there should be one entity; namely, the state --- and I agree with Mr. Robinson's comment that locals are usually better --- but whether the state would then prevent a panoply of different designations on nonprofit status. So that's one of the things I'm worried about.

PRESIDENT MARTONI: Michael.

MR. FINNERTY: Oh, okay. Thank you. I think we're looking at that situation right now. This is the situation we're in. This is the situation that was caused by the 1992 passage and was --- I guess you could say --- attempted to be straightened out by the Supreme Court, which came up with the HUP rule, that said if you are a purely public charity, you have five things you must be able to pass to have that status. And the counties have the right to do that and so do the municipalities. They have that right, right now. That right is being taken away from us, so it's there now.

Senate Bill --- Senate Bill 4 is going to take that right away from the counties and the municipalities,

and I don't think that's right, that they should do that. I want it status quo, the way it is right now.

PRESIDENT MARTONI: Matt?

MR. DROZD: Yeah. I'll tell you, I'm going to support this because time and time again, I sat in municipal meetings; you know, in local meetings. And those leaders in those local meetings, those commissioners and supervisors and council people, time and time again, have said to me and expressed their concerns that more and more power is taken out of them from dealing with issues within their community. A case as example, zoning. They know best what's for their community, not the state. The state is so multi-faceted, you know, from the East to the West in different types of facets of the state, that we should --- we need to support the local municipalities. They're against consolidation, for one thing, too, and they want to have their own, and I believe they should have it.

I think we can consolidate services whenever possible, even though it's not pertinent to this bill, necessarily, to save taxpayer money. But at the same time, you know, I'm going to support it because of the fact that I don't --- I want the municipalities to have a say. They need to. The people that live within those communities, our taxpayers, our residents, our neighbors, should have a say in their favor, and we really need to support that. Thank you.

PRESIDENT MARTONI: Do we have a motion to put it on the agenda?

MR. FINNERTY: That's right. I'd like to make a motion to waive the second reading.

(Chorus of seconds.)

PRESIDENT MARTONI: Moved in second. Question? All those in favor?

(Chorus of ayes.)

MS. HEIDELBAUGH: Nay.

PRESIDENT MARTONI: Opposed? So ordered.

MR. FINNERTY: You have a nay.

MR. CATANESE: We have one nay.

PRESIDENT MARTONI: Okay. I'm sorry. I didn't get it.

MS. HEIDELBAUGH: I'm a nay.

PRESIDENT MARTONI: Joe, you got that? Okay.

MS. HEIDELBAUGH: May I speak to my nay? Do I have the right to do that?

PRESIDENT MARTONI: I think you have a right to do that; of course.

MS. HEIDELBAUGH: I just --- you know, this is a deliberative body, and if we're going to be putting ---. This is a deliberative body. And if we're going to be putting things on at the last minute --- I received this at my personal e-mail. I've tried to reach out to some people to talk about this, to review this as a lawyer, to review the Senate bill. I didn't have time to do that. I can't believe anyone here has had time to review the Senate bill. What is the rush? Why are we not putting this into committee to have some discussion and to think about things? You know, if we're going to do this, we're going to constantly have egg on our face because we haven't been deliberative and talk these things through. I don't care if it wins; okay? I don't even know how to vote on it. My point is, why aren't we thinking it through? What is the rush?

PRESIDENT MARTONI: Do you wish to ---?

MR. FINNERTY: I didn't think this was that rushed, but that's alright. You got your opinion.

MS. HEIDELBAUGH: I got it at four o'clock today.

MR. FINNERTY: Your opinion; it's your opinion.

PRESIDENT MARTONI: Anyone else?

PRESIDENT MARTONI: Call the roll.

MS. HEIDELBAUGH: If you're going to say something about me, please say it to my face.

MR. FINNERTY: I did not say anything. Are you paranoid or what?

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Danko?

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: Aye.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.
MR. CATANESE: Ms. Harris?
MS. HARRIS: Abstain.
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: Abstain.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. Martoni, President?
PRESIDENT MARTONI: Aye.
MR. CATANESE: Ayes, 13, noes, 1, two
abstentions. The bill passes.
PRESIDENT MARTONI: Okay. The motion passes.
MR. CATANESE: The motion passes.
PRESIDENT MARTONI: Public Comment on Agenda
Items.
MR. CATANESE: We have none.
PRESIDENT MARTONI: Motion for adjournment?
MR. DROZD: So moved.
MR. PALMIERE: Second.
PRESIDENT MARTONI: Moved in second. Question?
All in favor?
(Chorus of ayes.)
PRESIDENT MARTONI: Opposed? So ordered.

MEETING ADJOURNED AT 6:00 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.

A handwritten signature in cursive script, appearing to read "Danielle Olin", is written over a horizontal line.

Court Reporter