

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, June 4, 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
Jack Cambest - County Solicitor

PRESIDENT MARTONI: The June 4th Allegheny Council meeting will be called to order. Please rise for the Pledge of Allegiance. The Pledge of Allegiance tonight will be led by Boy Scout Troop 646, of Point Breeze.

(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?

(No response.)

MR. CATANESE: Ms. Danko?

MS. DANKO: Here.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Here.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Present.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Here.

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

(No response.)

MR. CATANESE: Mr. Macey?

(No response.)

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: Twelve (12) members currently present.

PRESIDENT MARTONI: Proclamations/
Certificates. 7620-13.

MR. CATANESE: Certificate of Achievement awarded to Mr. Robert Vaerewyck of Boy Scout Troop 646 upon earning the rank of Eagle Scout. Sponsored by Councilman Burn and Councilwoman Danko.

MS. DANKO: Okay. I am jointly sponsoring this resolution with Council member Burn, who is not here yet, so I'm going to take it away. We have Robert Vaerewyck here, who has earned the rank of Eagle Scout. And the reason we're co-sponsoring this is because the troop that he belongs to is actually in Point Breeze at St. Bede School and he lives in Springdale Township. So we have a --- he does a little traveling to be a member of the Boy Scouts. But I'm proud to stand here and recognize his efforts and his earning the rank of Eagle Scout. I know it's a big, big deal.

So this Certificate of Achievement is awarded to Mr. Robert Vaerewyck in recognition of his attainment of the prestigious rank of Eagle Scout, scouting's most distinguished honor. This Council commends Mr. Vaerewyck's diligence and skill, two traits he has displayed throughout his scouting career, his growth as a troop leader and his dedication to our community. For his Eagle Scout project, Mr. Vaerewyck repaired a deteriorated pedestrian bridge along Little Deer Creek Road in West Deer Township.

Throughout his participation in the Boy Scouts, Mr. Vaerewyck has set a high standard of commitment and further that the youth of our great county may follow. He serves as an inspiration to this Council and to the citizens of Allegheny County. Sponsored by Allegheny County Council members Jim Burn and Barbara Daly Danko and presented this 4th day of June, 2013. Congratulations, Rob.

(Applause.)

MS. DANKO: I want to also note that his dad is here, Mr. Darren Vaerewyck, and we have some members of the troop here. And you all recognize Mike Wojcik, who is involved with this, too. So I'm going to ask him to say a few words. Come on up.

MR. VAEREWYCK: I'd really like to thank my parents, my dad and my mom, and my other scoutmaster, Mr. Mike Wojcik. And then I'd also like to thank the Council for awarding me this prestigious honor.

(Applause.)

(Pictures taken.)

PRESIDENT MARTONI: Thank you. 7621-13; we're holding that because ---.

MR. CATANESE: Yes. We're going to hold that. It'll be read into the record.

PRESIDENT MARTONI: Okay. 7622-13.

MR. CATANESE: Let the record also show that Councilman Macey is on the phone.

PRESIDENT MARTONI: Okay. Thank you.

MR. CATANESE: Proclamation recognizing and thanking Ms. Laura Ditka, for her 25 years of service as Deputy District Attorney and Supervisor of the Child Abuse and Crimes Against Persons Unit, for the Allegheny County District Attorney's Office. Sponsored by Council members Heidelbaugh, Burn, Danko, DeFazio, Drozd, Ellenbogen, Finnerty, Futules, Green Hawkins, Harris, Macey, Martoni, Palmiere, Rea and Robinson.

PRESIDENT MARTONI: Who's presenting here?

MR. ELLENBOGEN: Any one of us would be happy to do it.

PRESIDENT MARTONI: Both of you do it.

MS. HEIDELBAUGH: I'm so sorry.

MR. CATANESE: Let the record show that Councilwoman Heidelbaugh is present.

MS. HEIDELBAUGH: Let the record show I'm late.

MR. CATANESE: Let the record show she's late but she's present, fashionably late.

MS. HEIDELBAUGH: Fashionably; thank you. It is my honor to ask Ms. Laura Ditka to come here today on behalf of the citizens of Allegheny County. And I speak on behalf of the citizens, not just myself, and I speak on behalf of all the Council members. I have had occasion to intersect with you on a number of occasions. One of the times was a confidential occasion.

MS. DITKA: Yes.

MS. HEIDELBAUGH: But I was extremely impressed every time I intersected with you as a lawyer. What you have done is you've devoted your life clearly to helping the abused and the victims in this county. And the reason why I wanted to have you come in here today was to have you recognized by every member of the county --- not that you don't have a good recollection --- is because as a lawyer, I understand personally how hard it's been for 25 years for you to meet with the victims of child abuse and to cradle them and to hug them, to feel their pain, to live that pain and to listen to those stories, to watch

what happened and to still keep your lawyer hat on, do your job and get the bad guys. And so I, on behalf of the citizens, take this time, just a small amount of time to stop and thank you. You're a distinguished resident of the Town of McCandless. You became a prosecutor at the Allegheny County District Attorney's Office in 1988, and you were selected by District Attorney Stephen Zappala to lead the Child Abuse and Crimes Against Persons Unit in the late '90s. Under your leadership, the Child Abuse and Crimes Against Persons Unit vigorously prosecuted thousands of cases involving child physical abuse, sexual abuse, which are the worst stories, and neglect and serious crimes of violence.

You demonstrated the utmost sensitivity, and that's the key things that I know about; consideration and compassion for the many thousands of child abuse victims you represented. You provided them your personal emotional support and education advocacy to help the victims and their families to heal and rebuild their lives, so that was not the essence of their life, so they could move on. You were the moving force behind using a multi-disciplinary team approach to criminal prosecution, which resulted in a 95 percent success rate at trial.

I can only wish for that kind of success rate. Throughout your tenure as Deputy District Attorney, you served the residents of Allegheny County honorably. You brought integrity, professionalism and commitment to excellence to the Allegheny County District Attorney's Office. There is no amount of money that this county could pay you for what you did, none. What you did was above and beyond what anyone did, and you did it for the love of the profession and the love of the victims. And everyone in this county, and God knows how many other counties, are better off for having you. Thank you.

MS. DITKA: Thank you.

(Applause.)

MS. DITKA: Thank you, Heather. Thank you, Council. There's really not much I can say. I was honored for 25 years doing a job that I loved, doing a job that I cared about. It gave me my most pride I will probably ever have in my career and will touch me dearly. It was time to move on. There are very many good people that will continue the work that I did, so the people of Allegheny County will still be represented very well, and the children will be protected. But I thank you for this

recognition, because it was really my pleasure to work for Allegheny County and Stephen Zappala.

(Applause.)

(Pictures taken.)

PRESIDENT MARTONI: 7623-13.

MR. CATANESE: Let the record show that Councilman Burn is present. Proclamation recognizing the Obediah Cole Foundation for Prostate Cancer for its continual efforts to raise awareness of prostate cancer and declaring the week of June 10th as Prostate Cancer Awareness Week in Allegheny County. Sponsored by Council members Martoni, Burn, Danko, DeFazio, Drozd, Ellenbogen, Finnerty, Futules, Green Hawkins, Harris, Heidelbaugh, Macey, Palmiere, Rea, Robinson and the Chief Executive.

MS. GREEN HAWKINS: Thank you. I believe we have here with us Robin Cole, Jerry Livingston and Jackie Ging from the Obediah Cole Foundation. Okay. I'll just read the proclamation and then give you the opportunity to say a few words about your organization.

WHEREAS, nearly 230,000 men will be diagnosed with prostate cancer this year, and about one in six men have a lifetime risk of being diagnosed with prostate cancer; and

WHEREAS, the Obediah Cole Foundation for Prostate Cancer was founded in 2006 by prostate cancer survivors, Jerry Bortman, Jerry Livingston and former Pittsburgh Steelers player Robin Cole; and

WHEREAS, the foundation is dedicated to educating others about prostate cancer awareness; and

WHEREAS, the foundation will host its 11th Annual Father's Day 5k/10k Race Walk --- excuse me, 5k/10k/Race/Walk on June 16th, 2013, at the Riverfront Park on Pittsburgh's North Shore, where thousands of people are expected to participate; and

WHEREAS, because of the efforts of the organization, men have become more aware of the importance of being tested for this deadly disease and as a result have lived longer and healthier lives.

NOW, THEREFORE, BE IT RESOLVED, that Allegheny County Council, along with County Executive Rich Fitzgerald, does hereby recognize the Obediah Cole Foundation for Prostate Cancer, for its continual efforts to raise awareness of prostate cancer, and we proclaim the week of June 10th as Prostate Cancer Awareness Week in Allegheny County. We hope the foundation continues its

impressive efforts to fight prostate cancer. Thank you very much.

(Applause.)

MR. LIVINGSTON: Thank you very much. And thank you, too, to Council for giving us this fantastic proclamation. We have been here before, and every year it is special. And every year we tell you the same messages, and that is that we're saving lives by what we do. The three of us have received the Jefferson Award, which personally is gratifying to us, but it's more special to the foundation because it gives credibility to what we do. I'm Jerry Livingston. I'm obviously not Robin Cole. He's much bigger than me.

Robin is a survivor like I am, like my friend, Jerry Bortman, and we're known as the Two Jerrys. Robin is out of town at the moment. He couldn't be here, but he carries on just like we do, trying to do this fight and save men's lives. As we're here, in fact, in the two minutes that we're speaking, every three minutes a man is diagnosed. 230,000 will be diagnosed and 28,000 will die. And we're trying to make a nick into that and to lower those numbers. This means a lot to us. Thank you to Joe Catanese and Karen (phonetic) for arranging for us to be here. And thank all of you for turning the fountains blue.

What we would like you to do is help us to turn the Point Fountain blue. When it turns pink in September, we like to see it. In October we'd like to see it blue --- in September during Prostate Cancer Awareness Month. This will be our 11th year. We expect to have 3,000 people. We grow every single year. We're honored to have one of your members run in our race in the 10k. He makes me feel bad that I'm so out of shape that I can't even catch him, Mr. Palmiere. We're real pleased to have him.

MR. PALMIERE: It's a pleasure, Jerry.

MR. LIVINGSTON: And one of the other things we want to thank you for is also providing us with the county van over the years. We've used it to do blood pressure screenings. We've been down at the street and the homeless. We focus on the uninsured and the underinsured. And again, with my partner, the other Jerry of the Two Jerrys, I talk about what we do and what we accomplish. You can help us with that. I'll turn it over to my partner, Jerry. I'd like to introduce two people. We are the --- they are the ghosts of Christmas Future, and I

have to tell you who. We are right here with who we represent, but that's our youth movement over in the corner. Jackie Ging does our media. She's the beautiful girl sitting over there. And right next to her is Brandon Gillingham who, by the way, won the 5k at the Race for the Cure this year.

(Applause.)

MR. LIVINGSTON: They give us vital energy needed as we move forward. Thank you very much. Let me turn it over to Jerry. He'll tell you about some of the things that we accomplish. All the older guys who are over --- if you're over 50, get screened, regardless of what that task force says. It saved my life twice. I had prostate cancer and had it removed. No symptoms. My count was 9.4, and that's pretty aggressive. I would have been dead in six months. When it came back the second time, my count went from .1 to .3 to .5 to .7, the PSA told me. I went through the radiation, and I'm here to talk to you today. So anywhere you hear on TV that they're saying, don't get tested, what's the alternative, watch and wait and die? Come on. That's insanity. So stay with us and help us grow, and hopefully, we'll grow even more this year than ever before. And if everybody brings a friend, guess what, we'll be at 5,000. Thank you.

(Applause.)

MR. BORTMAN: Jerry has told you pretty much the history of the race. He's the founder of the race. I've been interested in the health side. I'm a health coordinator. I'm a 16-year survivor of prostate cancer, a life threatening cancer, and that's the message that we try to get out to all the men that we screen. This year we're going to be going to over 50 health fairs around the county. And we have support from the --- we have support from the health department. We have a little problem with funding of the mobile van, but we also have the UPMC community outreach team that comes with us sometimes and does some of the screening.

In some cases, we --- in most cases, we talk to the men. We educate them. Some don't need it right now, but as Jerry says, from a survivor's viewpoint, we recommend that most men get checked starting with a baseline at age 40, we're suggesting. So again, one man in six will have prostate cancer in their lifetime. In the African-American community it's about one man in five,

and they have twice the death rate from prostate cancer. So it's an epidemic at this point, and we're out there just trying to help stop that epidemic. You guys have been a great support over the years, and we hope it continues. If you need any information on prostate cancer or our foundation, don't hesitate to ask. Thank you very much.

(Applause.)

(Pictures taken.)

PRESIDENT MARTONI: The remainder will be read into the record.

MR. CATANESE: 7621-13. Proclamation honoring Mr. Albert Crawford, for receiving the French Legion of Honor medal, bestowed upon him for his contribution to France's liberation from German occupation during World War II. Sponsored by Councilman Drozd.

7624-13. Certificate of Achievement awarded to Mr. Brendan Sieber, of Boy Scout Troop 377, upon earning the rank of Eagle Scout. Sponsored by Councilman Drozd.

7625-13. Proclamation congratulating Mr. Jeffrey C. Harbin, upon the occasion of his retirement as Carnegie Borough Manager and Police Chief. Sponsored by Councilman Finnerty.

7626-13. Proclamation congratulating Ms. Sheila Mozer, upon her occasion of her retirement from many volunteer endeavors in the Borough of Churchill. Sponsored by Council members Futules and Martoni.

7627-13. Proclamation congratulating West Mifflin Area High School student, Ms. Thembisile Gxuluwe, for winning first place in the Fifth Annual August Wilson Monologue Competition. Sponsored by Council members Macey, Danko and Robinson.

7628-13. Certificate of Recognition awarded to Mr. and Mrs. Joseph and Joanne Jenco, upon the momentous occasion of their 50th wedding anniversary. Sponsored by Councilman Macey.

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

MR. CATANESE: We have none.

PRESIDENT MARTONI: Approval of Minutes.

7630-13.

MR. CATANESE: Motion to approve the minutes of the regular meeting of Allegheny County Council, held on May 7, 2013.

MR. PALMIERE: So moved.

MS. GREEN HAWKINS: Second.

PRESIDENT MARTONI: Moved and seconded.

Question? All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered.

Presentation of Appointments. 7629-13.

MR. CATANESE: Approving the reappointment of John H. Thatcher, to serve as a member of the Allegheny County Conservation District, for a term to expire on December 31st, 2016. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Committee on Appointment Review. Unfinished Business. Committee on Budget and Finance, Second Reading. 7614-13.

MR. CATANESE: A resolution of the County of Allegheny, amending the Grants and Special Accounts Budget for 2013 (Submission 6-13). Sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. Robinson.

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

(Chorus of seconds.)

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. 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?

(No response.)

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: 7615-13.

MR. CATANESE: A resolution ratifying certain year-end transfers pursuant to Section 805.03 of the Administrative Code. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. Robinson.

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

MR. PALMIERE: 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. 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?
(No response.)
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: Committee on Economic Development and Housing, Second Reading. 7512-13.

MR. CATANESE: A resolution finding and declaring the need for the continued existence of the Allegheny County Residential Finance Authority and extending the existence of the Allegheny County Residential Finance Authority to a term of 50 years. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Ms. Green Hawkins.

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

MR. ROBINSON: 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. 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?

(No response.)

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: Liaison Reports.
MR. ROBINSON: Mr. President?
PRESIDENT MARTONI: We don't have any.
MR. FINNERTY: I don't.
MS. DANKO: I have one.
MR. DROZD: I move for the privilege that the
liaison go first and ---.
PRESIDENT MARTONI: I always start with Mr.
Finnerty, because he always has one. Okay.
MR. DROZD: Okay.
MR. CATANESE: All right. Well, we'll do it
again.

PRESIDENT MARTONI: Okay. We'll start with you.
Do you have one?

MR. FUTULES: Sure. On June 14th, Friday ---
not February; we did that last time --- we have a flag
retirement ceremony at South Park. And we have a lot of
veterans come out, and Boy Scouts come out. And it's a
great evening to honor our flags. So it's June 14th,
Friday, at 6:30. Come on out.

PRESIDENT MARTONI: Thank you. Barbara?

MS. DANKO: Yes. I wanted to make note --- and
I know there's several people in the audience who have
worked very hard on this. But on Saturday, June 15th, the
Great Allegheny Passage is going to be dedicated at ten
o'clock at Sandcastle in West Homestead. There's going to
be a ceremony marking the completion of the trail, and
then there's going to be people who actually ride the
seven miles from there to downtown. And it's my
understanding that Congressman Doyle may be one of those
people that's making that ride, so there will be a lot of
people. There's going to be another ceremony at Point
State Park to place the western termination marker.

And this has been probably 40 years in the
making. I know there's people --- Darla Cravotta from the
County Executive's Office is here --- but this is really a
wonderful accomplishment. And I know people --- some

people are skeptical about the economic development impact. You know, you hear about bike trails. But I was at a meeting at Homestead this week and I was told that one of the hotels down at the waterfront this summer has 1,000 rooms booked for people that are flying into Pittsburgh, riding their bikes into Pittsburgh or shipping them, and then staying in the hotel and then, you know, doing the ride, the Greater Allegheny Passage ride. So it's a huge boom. It can --- it's going to spur economic development in many of these steel valley communities that really need a little boost. So it's a wonderful celebration. Anybody can come out. Thank you.

PRESIDENT MARTONI: Bill, and then Matt.

MR. ROBINSON: Point of Personal Privilege?

PRESIDENT MARTONI: Sure. Go ahead.

MR. ROBINSON: Thank you, Mr. President, and members of Council. Members have in front of them a memorandum from myself on a topic I think is of the utmost importance. I won't spend a lot of time going over what is in writing, but I think this is an important issue for this county to address, and that is that we all, Council members and the Chief Executive, follow the law of this county, and we move forward in operating county business.

I'm specifically referencing the hiring of department directors, which in this particular case, the proposal, and perhaps it has been completed, to hire the director for the Allegheny County Health Department. I believe that hiring is subject to Allegheny County's Code and is subject to the interviewing process that this Council is a part of. To my knowledge, this Council has not been involved in the selection at any point of a new director for the Health Department. I believe that is in contradiction to the Allegheny County Code.

I've raised this issue before relative to directors who have been appointed since the current chief executive, Rich Fitzgerald, was sworn into office. For better or for worse, it applies to the previous administration, the Onorato administration, and might even go back to the Roddey administration --- is not addressing the requirements of the Allegheny County Code relative to Council's involvement in the selection of directors. I believe the Code is very specific about Council's involvement, and that has not occurred under the present administration. I don't believe it occurred in the previous administration, and it might not have occurred

when the Honorable James Roddey was executive of this county. This, I believe, is an issue that, if it is not resolved, we jeopardize the legitimacy, credibility and the legal stature of anyone operating on behalf of this county as a director. And the sooner we address this issue, I think, the better off we will feel and the better off we will be, because we're leaving ourselves vulnerable. Attached to my memorandum is some specific information relative to the hiring of a new director for the Health Department.

A public announcement has been made and gives the impression that a director has been hired. If so, that's in contradiction to the Allegheny County Code. It jeopardizes the credibility and the ability of a new director for the Health Department to function as I'm sure all of us would like her to function. The sooner this issue is addressed, I think, the better off we will all be. So I bring this to everyone's attention, so that if we choose to address this issue, we can find a way through it together. If not, I'm just going to keep coming up, and I'm going to keep bringing this issue up until it is resolved, hopefully resolved over here.

As you know, I'm adamantly opposed to letting the courts resolve issues of this type. I don't think they want to resolve them. I think it's resolvable between the Executive's Office and the Office of County Council. Thank you, Mr. President, and members of Council.

PRESIDENT MARTONI: Thank you, sir. I think Mr. Drozd was next.

MR. DROZD: Anybody else with any liaison reports take precedence, Mr. President.

PRESIDENT MARTONI: Anyone else? Mr. Burn?

MR. BURN: Just one quick point. When I read that, Mr. Councilman, --- I mean, if you read that to say that it's a done deal, then perhaps, but I didn't read it that way. There's been a selection for a vetting process, but I don't think anybody's happy to put the cart before the horse on the other side of the aisle. That's my two cents. This could be interpreted a couple different ways so I see where you're coming from, but I don't see it that way.

PRESIDENT MARTONI: Okay. Thank you. Jim?

MR. ELLENBOGEN: I just wanted to say, you know, I'm not very well versed about the actual language here,

but I have always believed that any director should come in front of this council and be questioned and be approved by us. This speaks to the relevance of who we are and what we are. Now, are we just going to sit up here and not have any input? We represent the million and almost three people in this county. They depend on us to look out for their best interests. I think it's important for any director to go in front of us; or even if we don't have the time to do it or for any search committee to be approved by us, because the point is, if something goes haywire, who does the public go to? They'll go to us. So you know, I believe in the concept of this.

I've always said that from day one, that just like in the city, that we should have an opportunity to vote and decide whether we approve or do not approve of any selection. I think to not do so unilaterally takes away any relevance that we have to even be sitting here, because that speaks to the essence. Thank you.

PRESIDENT MARTONI: Thank you. Matt, I don't see any other hands.

MR. DROZD: Yes, sir. Thank you. Point of Privilege. As many of you know, I now hold a record. I'm the first and only independent that sits on County Council. And I want you to know, and I want my constituents to know, and I want my fellow council members to know, when I leave my party --- because of the good people that serve on that party --- and I mean serve, I emphasize that --- the committee people and also those that are registered within that party, they're great people. I still love them as much as I did before. You know, I was in both parties, both major parties, a member of both major parties. There are good people in all --- in both parties. I left my party this time because of the direction of its leadership. I believe that we have to always remember who comes first.

You know, I was wrongly once quoted --- they didn't finish the sentence. I said, I don't care what your party is. But you have to finish the sentence. And I've always said this, and I stand by it, I don't care what your party is, the people come before the party, before party politics. And I know many of you here in the Council subscribe to that and are strongly, really strongly supportive of that. I think that, you know, we have to look at what's about America today and where we're going in America. I really mean that. I have strong

convictions here because of that, like you do. And I'll stand by that. When I went to war in defense of this country --- and I was called to the Pentagon the day after that plane hit the Pentagon, and I was asked to go overseas twice, I defended ---. It didn't matter what party you belonged to or what you did or what walk of life, or what ethnicity you were, I love my country. I love those I've served and I love the Americans of this country, this great country. And that's what I'm about. I just believe strongly about this. I had to make a statement, not only a statement to the leadership but also the direction of where that leadership is going today. And I think we all have to stand up and take care of that and we have to remember what we're here for. And I know you do.

I'm really so proud to serve each and every one of you, because I've seen this Council as I've sat on it grow into a council and a body that really is doing what's best for the people of this county and this country. And that's why I'm sitting here today, and I know you are, too. Lastly, I'll say this. Nothing has changed about me. I'm still the same person. I'm Matt Drozd. I'll always be that, always put the people before my --- put my country and my people before that of any party. It's most important to me. The country comes first; the people come first. And I'm available to you like I was before, and there's no difference in the way I serve. Like my fellow council members, I'm available to you 7/24. My phone number in my home is 412-364-1600. And if I'm not there, it rings here. And again, always, always, for the people of this country, our country comes first and foremost to me in my heart. And I thank you ever so much for indulging me and letting me say that. Thank you.

PRESIDENT MARTONI: Thank you, sir. Anyone else before we move on? New Business. Ordinances and Resolutions. We're going to hold 7631-13. Mr. Macey is on the way in. We're going to hold that until he comes. I hope everybody is okay with that. 7632-13.

MR. CATANESE: A resolution of the County of Allegheny amending the 2013 Capital Budget for Allegheny County. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Committee on Budget and Finance. 7633-13.

MR. CATANESE: A resolution of the County of Allegheny agreeing to participate in a Transit

Revitalization Investment District (TRID) Plan for Phase 1 of the East Liberty Project and authorizing related agreements. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Committee on Economic Development and Housing. 7634-13.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the grant of a temporary license agreement to the Pittsburgh Filmmakers/Pittsburgh Center for the Arts, in conjunction with the Fiberarts Guild of Pittsburgh, Incorporated, for the purpose of staging a community-based art project known as Knit the Bridge on the Andy Warhol Bridge. Sponsored by the Chief Executive and Councilman Macey.

PRESIDENT MARTONI: Committee on Public Works.

MR. DROZD: Mr. President?

PRESIDENT MARTONI: Yes.

MR. DROZD: I have a motion, and I don't know if I can interject it at this ---.

PRESIDENT MARTONI: You can do that now. I'm looking to buy some time, I think.

MR. DROZD: Thank you, sir. This is a motion --- and specifically, you know, you had it in your own in-box. I feel very strongly about this. I said it time and time again in the public. I wish we can do this as a collective for the people of Pennsylvania, because all --- every one of them out there, all of our constituents, have said this time and time again, that our legislative body is over --- far too many, overpaid, and they want a change. They really do. And it used to be part time, would you believe? I remember as a kid, it used to be part time, at one time like we were. But just to --- it's expressing a sense of the Council of Allegheny County calling for the General Assembly, because you have to amend the Constitution of the Commonwealth of Pennsylvania and amend or repeal the Public Official Compensation Law to reduce the size and the compensation of the members of the General Assembly of Pennsylvania.

For our viewers and those in the audience, I just want to point this out, and I've pointed this out so many times, and I really respect my fellow Council members for this. A legislator represents approximately 62,000 people. We represent 100,000 or more. They get compensation --- and this is not by any means any complaint. We do this out of an act of love and they should, too. We represent 100,000. We're paid ---

they're paid \$82,000, we're paid \$9,000. They get a car that's using up to \$600 a month. They get \$161 per diem per day, and a lot of times they have lunches and we give them to them or whatever it may be in Harrisburg. It's a fact. They also get medical that a lot of our people can't even afford to buy. They retire in a period of approximately ten years. We, on the other hand --- we have no benefits. No complaints here. We're here because we want to serve. And we are paid \$9,000 a year, and we get a lot of expense money. It's \$3,000. And I'll guarantee you, these Council people on this Council, they spend far, far more than that and spend as much, if not more, time. And I've seen many of you in your office in the legislative bodies.

But just to give you an idea where this has grown to, at one time --- it's grown now to over \$300,000,000 a year. That's what it costs to run this legislative body. And here's where it comes down to when you compare other states. There's only ten states right now in the union, is what I understand, that's full time. And by the way, to compare them to other states, Ohio, which is comparable population, it costs them only \$48,000,000 to run their body, and they have --- Ohio has approximately --- I think it's 132, or whatever it may be, in legislators within that body. Texas, 2.5; over twice the population we do in Pennsylvania, twice the population, they pay their legislators --- they have half the legislators we do, and they pay the legislators \$7,200 a year. And they don't go into session that often.

To give you an idea even further of this, it goes on and on. And it says the NCSL, which is a National Conference of State Legislators, that the nation's third most full-time legislator --- New York has 212 lawmakers. And that means that's comparable to almost the size of ours. They have a population of 19.5 million; we have a population of 12 million. And guess what? They spend over \$100,000,000 less. Even if we compare the size of the legislative bodies, they spend \$100,000,000 less per year than we do in our legislative body. So it goes on and on and on. And I think it's time that we address this.

And you hear so many legislators say, oh, yeah, yeah, I'm for this. Let's see you be proactive. If you're really for it, let's see you stand up and be proactive. Take it to a constitutional convention and do

what's right for the people of this Commonwealth. So what does that mean? Let me tell you what that means. That means ineffectiveness, because I once saw ---. I don't know if it still exists, but I saw that they rank the legislative bodies by an independent university study. Ours is in the bottom 40s. California and Texas, with half the legislative body, is in the top ten in the rank for effectiveness. And there's certain areas that they effectively rank them. Okay? So I'll give you an idea. Our legislative body went from 1989 and the '90s, spent \$148,000,000. And then it went on, and in 1984, spent \$88,000,000, almost half as much. Now, it's twice as much as what it's spending today. And lastly, I'll say this, and I'll say this very loud, because I know some of my fellow council members have even put up a back to try to save the municipal's own right to rule. Okay?

When you have these many legislators up there running around in the same Capitol, they're going to get ideas. And their ideas always come forth. And again, why are these twice as many --- when there are twice as many than in the other states. And guess what they do? They send us unfunded mandates here. And there, out there --- and they say here, implement this great idea I got. Where's the funding stream? There is none. So who do you think we have to go back to --- the taxpayers. It's time, and I'm going to let this go in committee right now, my fellow Council members. But I think we can take a lead and we can make a statement and we can send a message, and it needs to be sent and it needs to be sent very hard to these legislators. It's time they do something about this. You know, talk is talk. Walk the walk. Do the right thing for the people of this Commonwealth and do it now. Thank you.

PRESIDENT MARTONI: Thank you. It will go to Committee on Government Reform. I think that would be the appropriate committee.

MR. CATANESE: We've got to make a motion to place it on the agenda.

MR. DROZD: Yeah, that's right. I make a motion to place that on the agenda, please.

MR. ROBINSON: Second.

PRESIDENT MARTONI: Moved and seconded.

Question? All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Okay. It's on the agenda.

MR. CATANESE: I can read the caption.

PRESIDENT MARTONI: Read it.

MR. CATANESE: It's a motion of the Council of Allegheny County expressing the sense of the Council of Allegheny County, calling for the General Assembly to amend the Constitution of the Commonwealth of Pennsylvania and amend and/or repeal the Public Official Compensation Law, P.L. 160, Act 39 of 1983, to reduce the size and the compensation of the members of the General Assembly of Pennsylvania. Sponsored by Councilman Drozd.

PRESIDENT MARTONI: Thank you, Mr. Drozd.

MR. DROZD: Thank you, sir. Thank you, my fellow Council members, for indulging me.

PRESIDENT MARTONI: Let's do 7631-13. Apparently, Mr. Macey is not available to do it.

MR. CATANESE: A resolution of the County of Allegheny, Commonwealth of Pennsylvania, supporting Pennsylvania Senate Bill 1, An Act amending Title 20, Decedents, Estates and Fiduciaries, 74, Transportation and 75, Vehicles, of the Pennsylvania Consolidated Statutes, and encouraging the General Assembly to pass and the Governor to sign this legislation with all due speed. Sponsored by Council members Macey, the Chief Executive, Council member Burn, Green Hawkins, Robinson, Martoni, Palmiere and Futules.

MR. FINNERTY: I'll make a motion.

MR. DEFAZIO: Second. I'll like to add my name as a sponsor.

PRESIDENT MARTONI: You've got it. Moved and seconded. We'll place it on the agenda.

MR. DEFAZIO: It's on the agenda.

PRESIDENT MARTONI: It's on the agenda. Okay.

MR. FINNERTY: I would like my name down as a co-sponsor.

PRESIDENT MARTONI: Anybody else before we move on?

MR. ELLENBOGEN: I want to be, too.

PRESIDENT MARTONI: What we have to do now is waive the second reading, because of the time sensitivity. Okay? Do we have a motion?

MR. CATANESE: Councilman Ellenbogen, did you want to ---?

MR. ELLENBOGEN: No, I want to speak to Bill.

PRESIDENT MARTONI: Let me do the motion.

MR. ELLENBOGEN: Do whatever you ---.

PRESIDENT MARTONI: When I say it, then you do it.

MR. ELLENBOGEN: That's fine.

PRESIDENT MARTONI: Okay. Do we have a motion to waive the second reading?

MR. DEFAZIO: So moved.

MR. FUTULES: Second.

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

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed?

MS. HARRIS: No.

PRESIDENT MARTONI: We have one no; okay.

MS REA: No.

MS. HEIDELBAUGH: No.

PRESIDENT MARTONI: Let's do a roll call, waiving the second reading. Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: Yes.

MR. DROZD: This is to waive the second reading?

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Abstain.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Aye.

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?

(No response.)

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, nine, noes, 3 with 1
abstention.

MR. BARKER: The bill passes.

MR. CATANESE: The bill passes with 2/3 of
the ---.

MR. BARKER: I believe it's 2/3 of the members
present. If it's members present --- I beg your pardon.
It's 2/3 of the seated members. The motion fails.

PRESIDENT MARTONI: It just has to go in
committee, I guess. Should I?

MR. BARKER: Yeah, you can try.

PRESIDENT MARTONI: It's sent to committee.
Public Comment ---.

MR. CATANESE: Government Reform.

PRESIDENT MARTONI: I think Government Reform
would be the closest.

MR. ELLENBOGEN: Can I speak for a second??

PRESIDENT MARTONI: Yeah.

MR. ELLENBOGEN: No. I want the members to
understand that, you know, in my capacity as the
administrative officer for the Pennsylvania Department of
Revenue's District Office, I deal and I've dealt with many
years with inheritance tax issues and estates and whatnot.
And I'm a little uncomfortable with not knowing the
completeness of what this is, so I feel I have to abstain,
because you know, I work with this kind of stuff every
day. Thank you.

PRESIDENT MARTONI: Thank you. Matt?

MR. DROZD: Yeah. I agree with my councilman
here in looking at this. I let it come on to speak to it,
but I wouldn't have voted for it because of the fact that
we have to know more about this. And I get very nervous
when I see this, an Act amending Title 20, Decedents,
Estates and Fiduciaries. I'm very concerned when I see
that because you know what? A lot of people, their
estates are taxed time and time again with taxes. And I
don't like to see something when I see that. And I want
to see more about that because if these people --- God
bless their heart. They've worked so hard all their
lives, our fellow people in this state. They work hard
all their life and build an estate and guess what, half of
it goes to the state taxes.

And I think that has to be stopped, not only at the state level but the federal level. So I'm very concerned when I see something like that. I'd like to know more about it. So that's why I wanted to bring it on to discuss it and see what it was. But we'll do it in committee. And I'm not going to support something that does that to these people. If anything, estate tax in this country and this state should go down and not the other way. It should be reduced. Thank you, sir. Thank you. Congratulations, gentlemen.

MR. FINNERTY: I'd just like to say one thing, Chuck.

PRESIDENT MARTONI: Oh, please; please.

MR. FINNERTY: Thank you. That Senate Bill 1 was included in the e-mail in regard to this resolution. Thank you.

PRESIDENT MARTONI: Thank you. Public Comment on General Items. I think we have one?

MR. CATANESE: We have one.

PRESIDENT MARTONI: Did the speaker show?

MR. CATANESE: I don't know that.

PRESIDENT MARTONI: Rick Grejda? Am I saying the name correctly? He's apparently not here.

MR. CATANESE: We agreed for Mr. Wojcik to speak.

PRESIDENT MARTONI: That's fine. Good evening, Mr. Wojcik.

MR. WOJCIK: Thank you, Mr. President. And for the first time at this podium, I'm on the clock, and I appreciate it. I've stood at this podium for many times through my eight years as County Solicitor, conversing with many of you. I have fond memories of sparring with Mr. Drozd. This Council is going to miss him when he --- his term ends this year. And it was a pleasure dealing with you when I was solicitor. I wish you the best in the future endeavors. But I wanted to come and thank you for all --- Council members Daly Danko and Burn for sponsoring my Eagle Scout's Certificate of Achievement this evening. I joined this troop two years ago when my son crossed over from the Webelos, when I was Cub Scout master at St. Bede Church. And Robert is my first Eagle Scout as scoutmaster. I'm very proud of him. Sitting beside Robert is Sam Patten (phonetic), a first class scout, Ethan Hess (phonetic), a scout or Tenderfoot? Tenderfoot. Congratulations.

PRESIDENT MARTONI: Why don't you bring them up and let the cameras see them?

MR. WOJCIK: Come on up, guys. Stand right here. This is Robert Vaerewyck. He's our Eagle Scout. Sam Patten, first class, Ethan Hess, a Tenderfoot, and this final young man is my son, Michael. He favors his mother, thank God. He's a first class scout. And it's important --- we're here not only to support Robert and thank you all for recognizing him, but the three boys who are not Eagles are working on their Citizenship and Community Merit badge, and this is their final requirement, to come to a public meeting of a legislative body, observe what happens and report on that and talk about it later. We're going to retire back to St. Bede after this meeting and talk about that for a little bit more. And these three scouts will earn their merit badge. So thank you for allowing them to be here tonight and having such a very interesting debate on a number of issues. I'm glad, though, that the legislation like the smoking ordinance or the reassessment for drink tax went on ---. I'd fear that Laura Ditka's successor would come after me for child abuse if I don't ---. But I thank you very much for your important work, and I'm sure these boys are impressed with your work tonight, as we all recognize them. As Council member Drozd has said many times, this is our future.

I'll probably be involved with these boys. I myself have been involved with scouting since I was eight years old. And I think the world of this program and wish more boys were involved in Boy Scouts and Cub Scouts, and more boys and girls were involved in --- and more girls were involved in Girl Scouts. But again, I thank you very much for indulging me at this meeting today, and thank you very much for giving us a good example of how good government works in this country. Thank you very much.

(Applause.)

PRESIDENT MARTONI: Mr. Macey is here to read.

MR. CATANESE: Too late. It got sent to committee. It's over.

MR. CATANESE: There was a motion made to waive the second reading. We needed two thirds vote. It was nine yeses, three noes and one abstention.

MR. MACEY: Point of Personal Privilege?

PRESIDENT MARTONI: Of course.

MR. MACEY: Well, I apologize for being here late, but I had some business to take care of. But I just wanted to let you know, I did attend the transportation hearing in Monroeville. And this particular bill has bipartisan support. It's very important that Senate Bill Number 1 be passed because it means a lot to our highways, our bridges, to the safety of those people who transport families and goods across this Commonwealth. More importantly, it creates jobs. Probably the most extensive tax increase we're going to have in Pennsylvania in the last 17 to 20 years. But SB Number 1 is certainly going to make a difference in the Commonwealth, not only to the people who use our highways and bridges, but also to commerce, because those people who transport goods and services will be able to transport heavier weights and more goods and services.

At this particular time, there are companies who are circumventing Pennsylvania because they don't feel comfortable driving through because of weight restrictions and what have you. But I understand we went through the process. I appreciate you giving me a few minutes to speak, and we'll go through our normal process and bring it out of committee. But keep in mind that the budget and Governor Corbett is very, very emphatic about having his budgets done on time. So I think we have a little bit of time to vet this out. And hopefully, we'll come back with a consensus and pass this resolution supporting Senate Bill Number One and supporting our senators from this district who voted for that bill. Thank you very much.

PRESIDENT MARTONI: Thank you. We're waiting for a motion for adjournment.

MR. DEFAZIO: So moved.

MR. FINNERTY: Second.

PRESIDENT MARTONI: Moved and seconded.

Question? All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So moved.

MEETING ADJOURNED AT 6:01 P.M.

CERTIFICATE

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


Court Reporter