

COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

John P. DeFazio	-	President
Nicholas Futules	-	Vice President, District 7
Heather S. Heidelbaugh	-	Council-At-Large
Thomas Baker	-	District 1
Jan Rea	-	District 2
Edward Kress	-	District 3
Michael J. Finnerty	-	District 4
Sue Means	-	District 5
John F. Palmiere	-	District 6
Dr. Charles J. Martoni	-	District 8
Robert J. Macey	-	District 9
William Russell Robinson	-	District 10
Barbara Daly Danko	-	District 11
James Ellenbogen	-	District 12

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

Tuesday, July 8, 2014 - 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:

William McKain - County Manager  
Joseph Catanese - Director of Constituent Services  
Jared Barker - Director of Legislative Services  
Walter Szymanski - Budget Director

PRESIDENT DEFAZIO: Will you all rise for the Pledge of Allegiance to the Flag, and remain standing for a moment of silent prayer or reflection; after me ---.

(Pledge of Allegiance to the Flag.)

(Moment of silent prayer or reflection.)

PRESIDENT DEFAZIO: Thank you. Roll call.

MR. CATANESE: Mr. Baker?

MR. BAKER: Here.

MR. CATANESE: Ms. Danko?

MS. DANKO: Here.

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?

(No response.)

MR. CATANESE: Ms. Heidelbaugh?

(No response.)

MR. CATANESE: Mr. Kress?

MR. KRESS: Here.

MR. CATANESE: Mr. Macey?

MR. MACEY: Present.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Here.

MR. CATANESE: Ms. Means?

MS. MEANS: Here.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Here.

MR. CATANESE: Ms. Rea?

MS. REA: Here.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Present.

MR. CATANESE: Mr. DeFazio, President?

PRESIDENT DEFAZIO: Here.

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

PRESIDENT DEFAZIO: Proclamations and Certificates. 8352-14.

MR. CATANESE: Certificate of Achievement awarded to the Steel Valley Senior High School Baseball Team for winning the 2014 WPIAL Class AA Baseball Championship for the first time in Steel Valley history. Sponsored by Council member Danko.

MS. DANKO: Yay. I wanted to ask the coach and all members of the team that are here to come up, and you can kind of line up behind me here. And I'm very happy to welcome them all here. We have Coach Tim Vickers --- there he is, okay. And your assistant coach?

MR. VICKERS: Yes.

MS. DANKO: And the assistant coach, Patrick Loughran. And then in a little bit I'll talk about the players. Most of you know, I don't do a lot of proclamations, but this is, you know, the first time winning the WPIAL. I'm just absolutely thrilled for this team. I love to --- love baseball, and I love to recognize hard work. I'm a little --- I'm just a smidgen too old. Title IX came after me, so my baseball career ended when I was 13, but --- one of those little-known facts that my colleagues didn't know.

But I'm thrilled. I know that you all worked so hard. Let's see. How many of you are seniors or were seniors? How many of you have graduated? I feel sorry for the coach. And you know, Mr. Robinson often talks about being a champion, and once you're a champion, they can't take it away from you. So you all have now become champions, and it's something --- for the rest of your life, you're going to be --- you know, you're always going to be a champion. And since some of you have already graduated, I can also say that my husband, as a teacher, always says, once you get that degree, they can't take it away from you, either. So for those of you who have graduated, I'm thrilled for you.

I wanted to ask the coach first if you want to have the players introduce themselves and perhaps they could give their position and if they're a graduate, maybe say where they're going to school. And if you're a Josh Harrison that plays everywhere, you can say that, too. So why don't you go ahead?

COACH VICKERS: I'd like to introduce my players. To my right, first right here, would be Andrew Chuba, outfielder, senior, graduated this year. He's going to Calhoun College in Alabama. Next to him would be Connor Stevens, junior, outfielder. We're looking forward to getting him back next year. Next to him would be Cole Eged. He transferred to Steel Valley this year, had an incredible year as our starting catcher. We look forward to getting him back again next year. Then Sammy Ligeros. Sammy, senior, leftfielder, moving on to state, Greater

Allegheny, to continue his baseball career; Michael Hoesch, senior, first baseman, moving on to study at Duquesne University; Matthew Hoesch, senior, third baseman, moving on to study at Duquesne University. Both of those Hoesch twins do, from what I hear, have a couple things up in the air. I would like to think that they might go play college baseball somewhere else. Sean McShane, senior, shortstop, played all four years on a varsity level; Matt Fossick, senior, outfielder, Jesse Lyons, senior, outfielder. Hiding back there, Jesse Cantley, junior, first baseman, pitcher, DH. Jesse hit the winning run in in the WPIAL championship game against Seton-La Salle; Brandon Donovan, junior, pitcher, outfielder, infielder, where we may need him. Brandon was the winning pitcher in the WPIAL championship game. Justin Tester, we look forward to getting him back as a --- next year he will be a senior outfielder; and Bryce Varhola, moving on to Pitt-Greensburg. He was a senior on this year's team, starting second baseman. Right behind me will also be my assistant coach, Patrick Loughran.

(Applause.)

MS. DANKO: I did want to say a couple of things since I understand there's some parents here. As the mother of four, three of whom are boys, I just want to congratulate all of you, too. One of my friends who has five sons, one time she said to me, when you're in the middle of doing all that wash and making all those meals and everything --- and she said, there is nothing cuter than a little boy in a baseball uniform. So they grew up to be, you know, a wonderful young men. And you know, this is a great moment for all of you, too. So I will read the proclamation.

This Certificate of Achievement is awarded to the 2013-14 Steel Valley Senior High School Baseball Team, in recognition of winning the 2013-2014 WPIAL Class AA Baseball Championship, the first time in Steel Valley history. We commend and recognize each player and coach whose determination and resolve led to this achievement. The team has set a positive example of excellence for all of Allegheny County, continuing evidence that this is the County of Champions. This achievement has conferred honor on this county and is an accomplishment in which the entire community can be proud. Congratulations. I think you have to go over here and get pictures, guys.

(Applause.)

(Pictures taken.)

PRESIDENT DEFAZIO: 8377-14.

MR. CATANESE: Proclamation recognizing the Allegheny County Forensic Laboratory of the Office of the Medical Examiner, and declaring August 10th through the 16th, 2014 as Forensic Science Week in Allegheny County. Sponsored by Council member Ellenbogen, Baker, Danko, DeFazio, Finnerty, Green Hawkins, Kress, Macey, Martoni, Means, Palmiere and Robinson.

MR. ELLENBOGEN: Thank you, Mr. President. As the American people, we have a romance with three or four different CSIs. We watch the --- I don't know how many --- NCISs and Bones and all that other stuff. Forensic science seems to be something that the American people are --- seem to be very interested in. So I'd like to introduce our own Horatio/CSI guy, Dr. Karl Williams, our Allegheny County Medical Examiner.

DR. WILLIAMS: I'm still trying to get the Hummer.

MR. ELLENBOGEN: He's still trying to get the Hummer. Well, you'll have to see Mr. Finnerty for that, so ---. Anyway, this proclamation is recognizing the Allegheny County Forensic Laboratory of the Medical Examiner's Office, declaring August 10 through 16, 2014, as Forensic Science Week in Allegheny County. So with that, I'd like to read the proclamation.

WHEREAS, the Allegheny County Medical Examiner's Office provides a vital public service through its delivery of high quality professional forensic and laboratory services to the citizens of Allegheny County; and

WHEREAS, in March, the Allegheny County Office of the Medical Examiner Forensic Laboratory received accreditation by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board signifying that it has met internationally recognized standards and demonstrated scientific and managerial excellence; and

WHEREAS, the crime team investigators, forensic examiners and forensic scientists of the Allegheny County Medical Examiner's office, provide unbiased, accurate and reliable analysis of evidence recovered from more than 12,000 crime scenes annually; and

WHEREAS, access to quality forensic analysis dramatically improves the investigation of criminal

activity, leading to the exoneration of the innocent and the prosecution of the guilty; and

WHEREAS, during August 10 through 16, many professional organizations across the country will be celebrating National Forensic Science Week, to recognize the hardworking individuals dedicated to proper scientific investigations for the cause of justice.

NOW, THEREFORE, BE IT RESOLVED, that the Allegheny County Council does hereby declare August 10 through 16, 2014 to be Forensic Science Week in Allegheny County. And we urge the residents to express their appreciation for the people, facilities and technologies that make reliable forensic science possible in our community. Sponsored by myself and all members of Council this 8th day of July, 2014. Thank you. Dr. Williams?

(Applause.)

MR. ELLENBOGEN: It's a very unique situation when you can shake hands with Dr. Williams where you can actually shake hands with him back. Dr. Williams?

DR. WILLIAMS: I'd like to thank you all very much, Jim, members of Council. The award really isn't mine, obviously. It belongs to the scientists in the crime lab that do the hard work day in and day out that's acknowledged here. Again, we get about 10,000 pieces of evidence into the crime lab, 15,000 individual items. And these individuals perform 100,000 individual tests on these items over the course of the average year.

Even since I took over in 2007, it's become increasingly problematic to keep up with the standard, to keep up with the certification, to keep up with the level of scientific integrity that's required to do that in the manner that these individuals do. There's never been any scandal coming out of the crime lab. There's never been any problems in courts. The courts recognize these individuals as being exemplary in their ability to not only do the analysis but also to carry that evidence successfully into court.

And there's another side to the operation, too, which is what is often overlooked, also. I gave a little presentation to the Budget and Finance Committee a couple of weeks ago. And in doing that, I looked over some of the statistics, and I came to the realization of something that I didn't completely understand, which is, in Allegheny County, there are about 12,000 deaths a year, and of those, 9,000 are reported to my office. Now, a lot

of them are hospice cases, and a lot of them are cases that are easy to deal with. But it means that all of your constituents are affected by what goes on in our office intimately over the course of a year.

We do that very professionally. We do that analysis very professionally. And it's extraordinarily gratifying. I welcome everybody. I'd like everybody to come down if they want to see the laboratory. It's really a --- it's really a revelatory experience to see what we do in the new facility down there. Again, thank you all very much for this acknowledgment for the hard work that my employees do down to the office. Thank you again.

(Applause.)

MR. ELLENBOGEN: Yeah, it was nice. Usually, he's got his cool sunglasses on and --- you know. But I just wanted to say, you know, Dr. Williams is a really think-out-of-the-box kind of a medical examiner. One of the things he's accredited for --- and he's not a braggart like myself --- he has been able to develop a procedure where he can harvest organ donating --- organs from donors without interruption of the actual forensic science that they would need and criminal whatnot. So that's a great thing for the doctors, because a lot of times what would happen, you'd get a crime and the organs are lost because the evidence is lost. So that's great stuff and continue doing what you're doing. Thank you.

(Pictures taken.)

PRESIDENT DEFAZIO: Okay. 8378-14.

MR. CATANESE: Proclamation recognizing the Big Brothers Big Sisters State Association of Pennsylvania for hosting Start Something Mentoring Conference in Pittsburgh and naming August 5th, 2014 Big Brother Big Sister Day in Allegheny County. Sponsored by Council members Finnerty, Baker, Danko, DeFazio, Ellenbogen, Futules, Green Hawkins, Heidelbaugh, Kress, Macey, Martoni, Means, Palmiere, Rea and Robinson.

MR. FINNERTY: Thank you, Mr. President. I'd like to invite Tom Baker, who is President of the Big Brothers and Sisters State Association of Pennsylvania; Seth Corbin, who is the Board President of Big Brothers and Sisters of Greater Pittsburgh, and J.J. Richardson, who is Board Vice President of the Big Brothers and Sisters of Greater Pittsburgh. We appreciate you coming. It's a great organization. It changes people's lives. It changes lives of people that are young and need some type

of mentoring to bring them on and fill their full potential.

It not only changes their lives, it changes the lives of the people that do the mentoring. It gives them some sort of volunteerism and feeling deep down inside that it shows that they really care about human beings. I'm extremely proud, because my daughter, Lynne Finnerty, was a mentor and her student or mentoree has graduated from high school this year. And she did that, along with going to law school, getting a law degree and passing the law boards at the same time. So she did a full day's work in relation to what she did for her Little Sister. I'd also like to just mention that the Big Brothers and Sisters of Greater Pittsburgh was the national Agency of the Year in 2012 and recently just received a Quality Award from the national again. They are going to be celebrating their 50th anniversary next year, and that's why they're here.

It's an organization that really makes people better all the way around. And without further ado, I'd like to read the proclamation and invite these gentlemen to say a few words.

WHEREAS, for more than a century, Big Brothers Big Sisters has created safe, professionally supported one-to-one mentoring and relationships between at-risk children and carefully screened adult volunteer mentors; and

WHEREAS, the Big Brothers Big Sisters State Association of Pennsylvania is comprised of 26 Big Brothers Big Sisters agencies across the Commonwealth, serving more than 20,000 youth and adults annually in one-on-one mentoring relationships; and

WHEREAS, working with dozens of school districts and hundreds of parents and partners, the Big Brothers and Big Sisters State Association of Pennsylvania agencies are working to produce dramatic improvements in school attendance, academic achievement and juvenile delinquency; and

WHEREAS, on Tuesday, August 5th, 2014, at City Theatre in Pittsburgh's South Side, the Big Brothers Big Sisters State Association of Pennsylvania will host its Start Something Mentoring Conference to encourage all adults to positively impact a child's life.

NOW, THEREFORE, BE IT RESOLVED, that Allegheny County Council does hereby declare August 5th, 2014 Big

Brothers Big Sisters Day in Allegheny County, and we thank Big Brothers Big Sisters for cultivating mentoring relationships that contribute to better schools, brighter futures and stronger communities for all. And this is sponsored by myself and all of Council this day, the 8th day of July, 2014. Seth, do you want to say a few words?

(Applause.)

MR. CORBIN: Sure. Thank you, Councilman Finnerty, and the entire Council for this recognition. I just want to say that, you know, Big Brothers Big Sisters, I think, has a tremendous impact in this area, and we serve approximately 1,200 kids each year in Allegheny County and the surrounding areas. So for this recognition, we're very appreciative and certainly glad to continue to do what we believe we do very well; and certainly, its staff and those --- Councilman Baker, who --- it's his full-time job --- do a tremendous job, and his award-winning staff recognized not just locally but nationally, as well, as the best at what they do. So hats off to them and thank you, again, to Council for this recognition.

(Applause.)

MR. RICHARDSON: Thank you, Councilman Finnerty; thank you, members of Council. I won't repeat what Seth said, but we're very appreciative for this recognition. I'd like to accept this also on behalf of our staff. They work extremely hard to deliver top quality service. They are not very highly compensated people, so recognition like this really means a lot, and it's important to them. So I'd like to accept on their behalf. Thank you.

(Applause.)

MR. BAKER: Thanks, Councilman Finnerty. I'll be very brief. August 5th is going to be great. I know I've been talking about it a lot at council meetings recently. Thanks to Councilman Finnerty, who will be at that event on August 5th to present the proclamation again. We're very lucky to have great board members like Seth and J.J. but also Big Brothers. Seth and J.J. did mention, as Councilman Finnerty did mention --- but Seth and J.J. have been Bigs for a long, long time. It's something that I've also spent my whole professional life doing. I've got to be a proud Big Brother for one second. My Little Brother was ten years old when we got matched, and he had his first day of his real life work yesterday.

He actually started his full-time job at the KIPP School in Philadelphia, so a very proud Big Brother moment.

(Applause.)

MR. BAKER? And he liked it, so it's good and --  
- just very proud to have been a Big for these last 12 years, and again for the last four with our program here in Pittsburgh. It's just been awesome. So for everyone here, please consider starting something in some way with Big Brothers Big Sisters. And I promise that everyone is as nice and friendly and easy to work with as Seth and J.J. We've really got a great team here in Pittsburgh. So thanks again.

(Applause.)

(Pictures taken.)

PRESIDENT DEFAZIO: 8383-14.

MR. CATANESE: Proclamation honoring in memoriam Richard M. Scaife, ideologue, philanthropist, newspaper owner and publisher of the Pittsburgh Tribune-Review. Sponsored by Council members Means, Heidelbaugh, Baker, Kress, Martoni, Macey, Ellenbogen, Palmiere and Rea.

PRESIDENT DEFAZIO: Joe, put my name on there.

MR. FINNERTY: Add me, also, too, Joe.

MS. MEANS: It is my high honor to be here today and give this proclamation in memoriam in honor of Richard Scaife. And today I am joined by Richard Scaife's long-time friend, H. Yale --- pardon me --- Gutnick, Esquire, Richard Scaife's personal attorney --- and friend of others, I see --- friend for 40 years and board member of the Pittsburgh Tribune. First, I would like to extend my sincere sympathy to the friends and family of Mr. Scaife. We all lost a true friend and a patriot. I think it was very fitting that Mr. Scaife passed away on the 4th of July, the 238th anniversary of the Declaration of Independence.

I imagine him now in the presence of the founding fathers debating the principles of democracy and the virtues of our republic, with the founding fathers. Maybe --- people probably don't know this, but our second president, John Adams, our third president, Thomas Jefferson, and James Monroe, our fifth president, all passed away on July the 4th. Mr. Scaife believed in freedom and liberty. I'm glad that he lived in a modest home. How wonderful he chose to invest his fortune in

people and in the free enterprise. He believed in the power of the written word and freedom of press.

He believed that competition makes us all better. He put his money --- he made his money back his principles, and in 1992, Richard Scaife gave Pittsburgh the Tribune-Review, a counter-balance. In an interview in 2002, Richard Scaife stated ideas have meaning and I'm trying to give people a choice with ideas and what is best for this country. I really like --- I read it ---. I read over three obituaries for him, and there's a story I really liked and I wanted to share. After the tsunami, Richard Scaife approached the then-Bishop Wuerl and now Cardinal Wuerl and asked how money could be given to the tragic victims of the tsunami. And Bishop Wuerl shared with him that he could give money to Catholic Charities. But how pragmatic and practical Mr. Scaife was, and he asked how much money actually gets to the victims? Ninety-four (94) cents on the dollar. He wrote a check for \$1,000,000. But that just showed that he was so generous; he gave money to the arts, to colleges, to schools. He founded the Heritage Foundation, and we have so much to thank him for. And it's my honor to read this proclamation.

WHEREAS, Mr. Richard (Dick) Mellon Scaife, an ideologue, a philanthropist, a newspaper owner and publisher of the Pittsburgh Tribune-Review, passed away on July 4th, 2014, at the age of 82;

WHEREAS, Mr. Scaife was born on July 3rd, 1932 at Magee Women's Hospital in Oakland, the second child of industrialist, Alan Scaife and Sarah Mellon Scaife and heir to the Mellon banking and industrial fortune;

WHEREAS, Mr. Scaife and his sister, the late Cordelia May, grew up in Shadyside and at the Penguin Court, the family estate in Ligonier, Westmoreland County. This 50-room home got its name from the ten penguins that roamed the grounds. His mother bought the birds during a national craze over the exploits of the Antarctic explorer, Richard Byrd; and

WHEREAS, Mr. Scaife graduated from Deerfield Academy in Massachusetts. He attended Yale University, his father's alma mater, before graduating in 1957 from the University of Pittsburgh with a degree in British History;

WHEREAS, after the death of his father in 1958 and his mother in 1965, Mr. Scaife immersed himself in the

family business interests, and he took on a greater philanthropic role. I knew I was going to have trouble with that word;

WHEREAS, Mr. Scaife provided financial support to conservative groups that included the Heritage Foundation, the Cato Institute, the American Enterprise Institute; and in 1990, Mr. Scaife spurred the creation of his Allegheny Institute for Public Policy, which has a conservative voice in western Pennsylvania issues;

WHEREAS, with the control of the Sarah Scaife, Allegheny and Carthage Foundation, Mr. Scaife supported many partisan causes such as the arts and historic preservation;

WHEREAS, among other contributions, Mr. Scaife's foundation funded an early expansion of the Pittsburgh Aviary, the development of the Sarah Scaife Gallery in The Carnegie and the enhancement of the Westmoreland Museum of American Art in Greensburg. He supported the redevelopment of Station Square and provided more than \$1.4 million to the Boys and Girls Club of Western Pennsylvania; and

WHEREAS, Mr. Scaife made his mark in western Pennsylvania as a publisher, an interest rooted in his childhood when he --- among his hobbies was cutting out important news articles and saving historical front pages;

WHEREAS, in 1970, Mr. purchased --- Mr. Scaife purchased a small market newspaper then known as The Tribune-Review based in Greensburg. In 1992, Mr. Scaife expanded operations of the newspaper into Pittsburgh and renamed it the Pittsburgh Tribune-Review, the centerpiece of the Trib Total Media, now the city's largest source of news and information in western Pennsylvania;

WHEREAS, Mr. Scaife devoted his professional life to producing a quality, award-winning daily newspaper for our region. His beliefs that newspapers are essential to America and to any free and prospering nation was demonstrated by his commitment to delivering an international, national and regional news seven days a week;

WHEREAS, the arts, historic preservation, university and community programs, both large and small, throughout western Pennsylvania and nationally, were among the many endeavors benefiting from Mr. Scaife's generosity;

WHEREAS, Mr. Scaife is survived by a daughter, Jennie King Scaife, of Palm Beach Florida, a son, David Negley Scaife, of Squirrel Hill, a daughter-in-law, Sara Scaife, and two grandchildren, David and Sara.

NOW, THEREFORE, BE IT RESOLVED, that Allegheny County does thereby honor in memoriam Mr. Richard M. Scaife and we express our deepest sympathy to his family and friends. Mr. Scaife's contributions to Allegheny County, our region and our nation will be remembered for generations to come. This is sponsored by myself and members of County Council on this, the 8th day of July. And now, Mr. Gutnick, would you like to make a few comments for us or any comments?

ATTORNEY GUTNICK: I see a lot of friends here who I've not seen for quite a while and just wanted to say hello. Also, this is really an honor for me to be here in lieu of Mr. Scaife. I've known him for a long time. I've represented him in just about everything there was and is, and I will assure this council that it will continue to be that way for the future. He will continue to give through his charities, through his foundations and through his newspaper. He has made arrangements for all of that. But most importantly, I think his greatest legacy is his love for this area, for Pittsburgh, for western Pennsylvania and for his newspapers, which service this entire area.

As Sue said, he has struggled to make the Pittsburgh Tribune-Review the first newspaper of its kind in recent years ever to survive in what was a one-newspaper town, prior to The Pittsburgh Press going out of business. This is his greatest legacy, and this is something that will continue forever with vigor. So I just want to thank you very much for this opportunity to accept this on his behalf. It's deeply appreciated. I can tell you this. He would not have wanted me to come up here and accept this for him, because he never accepted the kind of appreciation people are now giving to him. He never sought it out. He never wanted his name mentioned with all the wonderful things that he has done for the communities. He did it, generally, anonymously but never with flair. So thank you very much. I'm sure he'll appreciate all of this.

(Applause.)

(Pictures taken.)

PRESIDENT DEFAZIO: 8380-14. And the rest of the proclamations will be read into the record.

MR. CATANESE: Let the record show that Councilwoman Heidelbaugh is present, and 8379-14 will be held.

8380-14. Proclamation recognizing the residents of Ben Avon Borough, for celebrating Independence Day by finding inspiration in the sacrifices of our forebears. Sponsored by Council member Baker.

8381-14. Certificate of Recognition awarded to Mr. and Mrs. Steve and Myrna Buka upon the occasion of their 50th wedding anniversary. Sponsored by Council member Rea.

8382-14. Proclamation honoring Joey Fabus, an eight-year-old boy from Bethel Park, for his courage and bravery in the face of the danger as he battles an inoperable brain tumor. Sponsored by Council member Means.

8384-14. Certificate of Achievement awarded to former North Allegheny Senior High School pitcher Eric Dorsch for being drafted by the Pittsburgh Pirates. Sponsored by Council member Kress.

PRESIDENT DEFAZIO: Okay. Public --- we have no Public Comment on Agenda Items. We'll go to Approval of Minutes. 8385-14.

MR. CATANESE: Motion to approve the minutes of the regular meeting of Allegheny County Council, held on May 21st, 2014.

MR. KRESS: So moved.

MR. MACEY: Second.

PRESIDENT DEFAZIO: Other remarks? Seeing none, all those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it. Unfinished Business. Under Liaison Reports, anyone --- John?

MR. FINNERTY: I asked before John.

MR. PALMIERE: Go ahead, Mike. I'll defer to you.

MR. FINNERTY: No, no. I'm done.

MR. PALMIERE: Thank you. Thank you, Mr. President. First of all, I want to just mention my appreciation to my colleagues that showed up on the 4th of July parade in Brentwood. We had one heck of a good time. I think we gave out more candy than they're going to do on Halloween, which is some day, so my hat's off to Mr. Baker, Finnerty, Mr. Kress and this gentleman sitting to

my right over here, Mr. Macey. We had a good time that day. For the rest of you who didn't have an opportunity to come out, I hope next year. Brentwood is going to be celebrating their 100th year as a borough, and I don't know what they're going to do to top this next year, but I'll remind all of you about that and, hopefully, you'll be able to attend.

And the other thing --- excuse me --- Mr. President, I was --- I attended the Board of Health meeting on Wednesday last, and I just wanted to let you know that the bill for --- or the new rules for the restaurants and the rankings for our restaurants, they're working on that very diligently. And hopefully, they're going to be able to present something to us come late September or early October. And that's all, Mr. President. Thank you.

PRESIDENT DEFAZIO: Mr. Ellenbogen?

MR. ELLENBOGEN: Thank you, Mr. President. I'd like to talk about something that's kind of a serious issue and --- you know, in my days as an emergency chief, one of the things that always was the most upsetting to me was the needless deaths of small children. In the last few days, I've seen two children who were killed from a dresser falling on them, another child who was needlessly burned and is in the intensive care unit right now, from somebody who had kicked over a firecracker. This is the time of year where we're going to read about needless deaths of --- you know, a mom who got a telephone call and her two year old drags the chair that she was sitting in out to the pool, even though she lifted the ladder.

Pay attention to your kids and what they're doing, in light of --- every summer I go through this with these children that drown. Go through your home as a child would. Block the electric things so your kid don't stick a fork in them. Babies love to climb. Tie your Venetian blinds up, so that I don't have to read about a child hanging himself. Watch them by the pools. If you have furniture, tie it off to the wall. Why is it that some poor child has to die before people recognize and realize that that could happen? Believe me, and I've seen it, children are capable of anything, particularly the small ones. You got to pay attention to them, and I pray that I don't have to read any more about these kind of things.

I've talked to the Chief Executive about it. I would hope that his office, through the County Health Department, issues some kind of a flyer or whatnot, because you know, a lot of the young parents, too, they're kids themselves. Who would think of some of the things that these kids get themselves killed over; you know, Venetian blinds or something like that? You got to go through it and you got to think like they do. Close those commodes when you're not in there. I can't tell you the kids that have drowned that just go in there and like to flush and then they fall in. So I appreciate everybody's diligence here, and I pray that this message gets out to people. And those of you who are watching, if you've got grandkids, if you've got kids, if you've got brothers and sisters, talk to them and keep your eyes open. Thank you.

PRESIDENT DEFAZIO: Mike?

MR. FINNERTY: Oh, I just wanted --- I just wanted to mention ---.

PRESIDENT DEFAZIO: Go ahead.

MR. FINNERTY: I just wanted to mention that --- and thank Councilman Palmiere for inviting me to the Brentwood parade.

PRESIDENT DEFAZIO: Any other --- Sue?

MS. MEANS: Yeah. I wanted to share that I got an e-mail today from Representative Dan Miller's office to let us know that help is on the way, and that ---. I don't know if you remember, Mr. Finnerty, a few weeks ago we had people come from the County Court of Records --- come and tell us that it would be so helpful if we could put our records --- we didn't have to put them on microfilm anymore. So Senator Matt Smith was able to put his language to a House Bill 1337.

MR. FINNERTY: Senate.

MS. MEANS: What?

MR. FINNERTY: That's a Senate bill, Matt's.

MS. MEANS: Yeah; but no, he --- Matt Smith took the language to take the microfilm, so now we can just scan it in, and we won't have to have microfilm. But now we can be electronic. We can go into the new age and save --- and into modern times. And so he amended it to a House bill, and the House --- and so he amended his language for judicial modernization to a House bill. And then it went back to the House. It was concurred. It is sitting on the governor's desk. So I just wanted to encourage everyone to give Governor Corbett a call and

make sure he signs that. It's going to save us money. Thank you for letting me speak.

PRESIDENT DEFAZIO: Okay. Heather?

MS. HEIDELBAUGH: Thank you, Mr. President. Yes, on July 3rd the County Executive made a statement to the press indicating that the county, Allegheny County, was going to aid in a proposal put forth by the Pittsburgh Foundation to bolster their previous offer of \$5 million for the August Wilson Center. It came to my attention through the press that Mr. Fitzgerald was representing to the public that Allegheny County would be providing \$1 million. It also indicated that there was going to be a hearing in front of Judge O'Toole in regard to the August Wilson Center, so I attended that hearing in person. It was ten o'clock on July --- I think it was July 3rd, actually --- and I came to realize that Mr. Fitzgerald had promised this \$1 million. And I know that we discussed this at the budget committee extensively and we voted it down. I mean, it was an amendment offered by my colleague, Mr. Robinson, and there was another amendment offered by my colleague, Ms. Danko. It was fully vetted and it was voted down. I think most of the people on the budget committee, including the current chair, voted against an appropriation for the August Wilson Center.

So I sent a letter, along with my colleague, Ms. Means, to the County Executive on July 7th and asked him if he could tell me where this \$1 million was going to come from, since we, as Council, had declined it. I received in my mail just moments ago a letter from the County Executive, and I'll read it into the record. In regard to your letter of July 7th requesting certain information related to the August Wilson Center, please be advised that I have not proposed using any Allegheny County funds. As has been done in the past, the center will be eligible to receive funding from the Allegheny Regional Asset District.

Should you have any questions on such issues in the future, please contact me directly. Attacking me through the press and asking questions afterwards is becoming a habit and is counterproductive to a good government process that I try to uphold as executive.

Unfortunately, when Mr. Fitzgerald told both newspapers that Allegheny County would be donating \$1 million --- unfortunately, I guess, what he meant to say is that the Regional Asset District may consider donating

\$1 million. And as we all know, RAD is an authority expressly in the statute designated as its own corporate and body politic with designated powers and duties. It has no intersection with Allegheny County's Chief Executive and/or the Council. It is a separate legal unit.

And I can provide Council with a total legal review of the separate standing of RAD. Of course, we all got this separate newsletter from RAD. Now unless Mr. Fitzgerald did not tear up the resignation letters of which I have copies here, which someone kindly put into my mailbox --- unless Mr. Fitzgerald did not tear up the resignation letters of the RAD Board --- he does not control the RAD Board. So I'm pleased to say that despite the fact that there was an announcement that Allegheny County would be giving August Wilson \$1 million, it's now come to light, through my questions, that we will not be giving August Wilson \$1 million.

PRESIDENT DEFAZIO: Heather, you know, not to get into the argument, on the meeting we had, he said the county isn't giving anything. He recommended we talk to the RAD Board. That's what he said. And I don't know if the county manager wants to say anything or let it go for now or let it speak for itself or whatever. Just want to let it go or say something? It's up to you.

MR. MCKAIN: The only thing I'll say, is I know Councilwoman Heidelbaugh had her statements and you had yours. And I will reinforce that the executive has never proposed or recommended that money come through the county budget to August Wilson. It does go through the RAD Board, and the RAD makes payments to other cultural entities like the zoo, our cultural district, the Heinz History Center and things like that. And I do agree with what you had said, that he had publicly said that he wouldn't support that from this budget. So I'm just reinforcing what was said.

PRESIDENT DEFAZIO: Mike?

MR. FINNERTY: Thanks. I'd just like to interject one thing here, that when the August Wilson Center was in bankruptcy and still is, I imagine that the RAD Board withheld its contribution to August Wilson Center. They usually do contribute to it, but since they were in bankruptcy, they held it; all right? So I believe that's something like --- I thought it was something like \$400,000 that they withheld, but I'm not positive about

that figure. But it's something that's been going on with the RAD Board since the August Wilson Center has been in existence. Thank you.

PRESIDENT DEFAZIO: Seeing no more on this issue, we'll move on to New Business; Ordinances and Resolutions. 8386-14.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Chapter 650 of the County Code of Ordinances entitled, Park Rules and Regulations, to restate the prohibited activities in the park involving motor vehicles and to change, provide for specific penalties for violation of prohibited activities in the parks involving motor vehicles. Sponsored by Council member Means.

PRESIDENT DEFAZIO: Sue, do you want to say anything?

MS. MEANS: Well, it's just that after the last meeting that --- just the comment that Chief Moffatt had requested that the parking tickets just deal with parking, so there's just a couple minor changes to the ordinance. That's all. Thank you. We'll discuss it in committee, I'm sure.

PRESIDENT DEFAZIO: Okay. Mike?

MR. FINNERTY: Okay.

PRESIDENT DEFAZIO: Okay.

MR. FINNERTY: No problem. We're not voting on it.

PRESIDENT DEFAZIO: We'll put it in committee.

MR. FINNERTY: Yeah.

PRESIDENT DEFAZIO: All right.

MR. CATANESE: You want to put it in a committee?

PRESIDENT DEFAZIO: Yeah.

MR. CATANESE: Well, you didn't say which one.

PRESIDENT DEFAZIO: Oh, Parks. Okay. 8387-14.

MR. CATANESE: A resolution of the Council of the County of Allegheny, authorizing the third amendment to the South Side Works TIF Plan, to remove three parcels from the previously established TIF District. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That will go in the Economic Development Committee. Notification of Contracts. 8388-14.

MR. CATANESE: Notification of approved executive actions for all departments, from 6/1/14 through 6/30/14, to be received and filed.

MR. MACEY: I make a motion to receive and file.

MR. PALMIERE: Second.

PRESIDENT DEFAZIO: Under remarks? Seeing none, all those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it.  
Public Comment.

MR. CATANESE: We have six.

PRESIDENT DEFAZIO: Okay. Lester Ludwig? Okay. We're going to move out of order, and I'll explain it after. Mark Kelly? Mark Kelly not here? David Eckhardt?

MR. ECKHARDT: Good evening. My name is David Eckhardt. I reside at 330 Jefferson Drive, in Mt. Lebanon. I am here to request that you not pass Bill 8376-14. The government of Allegheny County is entrusted with certain core duties, including operating a fair and accessible justice system, protecting children when adults can't or won't and operating the voting system, which is the source of legitimacy of our government. Citizens depend on these core governmental functions being carried out fairly and at reasonable cost. Americans are more skeptical about government providing moral instruction and religious inspiration. Our government created a nationwide crime wave by imposing alcohol prohibition in the '20s, and our government interned innocent loyal Japanese citizens during World War II.

Our government ran the infamous Tuskegee Experiment, and our government is only beginning, reluctantly, to end the bloody war on drugs. If we look around the world, the problem with Syria or Somalia is not insufficient religious belief. Instead, citizens of those countries don't have access to fair police systems, fair court systems and fair election systems. Each member of Council has a First Amendment right to personally advocate on personal or even campaign websites any religious or moral teachings that he or she holds dear. But I believe the County government, as government, should stick to what it is uniquely qualified to do. We citizens depend on you to run our shared justice system. In turn, you can depend on our houses of worship and other voluntary associations to teach morality and religion. Because we don't need

Allegheny County Council to tell us what to believe, I respectfully request that you don't. Thanks.

PRESIDENT DEFAZIO: Thank you. Joni Rabinowitz?

MS. RABINOWITZ: Hi. My name is Joni Rabinowitz. I live at 7721 Edgerton Avenue in Pittsburgh. I haven't seen you guys for a while but it's not like we haven't been working hard to be sure that the County does not approve any more fracking under County parks in the future. You know, every day you open up the papers and you see some other disaster that has to do with fossil fuel. Every day there's two or three articles. Here's one about family's well water disrupted near Ligonier, leaking wastewater impoundments. The DEP recognized the problem but the company is giving them drinking water, is not giving them water for their bathing. And this has been going on for two years. Here's a story in the forum section on Sunday, don't frack under Ohio pyle.

This is from a woman who loves to hike in the parks. And she mentioned --- and this is around the issue of the state parks. She mentioned that she was on a recent hike at the Allegheny National Forest. I was trying to enjoy an otherwise lovely hike along a river that was running exceptionally high. But even above the roar of the water, I could hear the hum of a gas compression station for a good half hour. Camping anyone? And she points out --- and I don't think that we talked about this very much, but I think we will in the future, the amount of money that comes into the state and the country for tourism as opposed to wanting it to come in through gas, through fossil fuels. There's \$1.1 billion per year that comes to the Commonwealth's economy from the state park system. And we're working to try to not have the park system fracked. And here's a story about the top New York court which upholds fracking bans in two small communities there. And this is a very, very important --- very, very important court decision.

And finally, what's the Future of Drilling in County Parks, a story that was in the Post Gazette a couple weeks ago, basically saying that Huntley and Huntley has said that they're not planning to drill in any more parks. Well, we're not sure that we believe that, so we're planning to move. We will be moving on this further and --- because I know that some of you have said that after Deer Lake you didn't want to do any more of this fracking under parks, County parks. And Rich Fitzgerald

said something similar in his comments. So I just wanted to let you know that the fact that they're denying that they're planning to drill in any more parks does not convince us that that they're not going to. So we're moving forward with some more plans to be sure that that doesn't happen. Thank you.

PRESIDENT DEFAZIO: Thank you. Let me explain something. We have two more speakers, the Honorable Rick Saccone --- and he needed a little more than three minutes so I granted him the five or six minutes, whatever it takes. And to make it fair, Audrey Glickman is going to be next. I told her, because there's like two sides to this issue, that she could take her five or six minutes or whatever she needs up to that time. So Audrey, you're up and we'll leave the clocks off for the last two because I have already approved it.

MS. GLICKMAN: Audrey Glickman, 3548 Beechwood Boulevard in Greenfield. Please recall my speaking last week on In God We Trust. I've done more research. I've spoken with many County residents this week. Apparently, there's a major effort, not only across this Commonwealth, but all across the country to assert Christianity as the religion of our nation. On the 4th of July, there was a full page, full color newspaper ad by an Evangelical group conflating our country's formation to make it seem that everything that has happened was Christian in nature. Some folks, loud but few, feel it's important to let everyone know that we put religion into our government. I think it's based on a fear of other religions besides their own. And they get one or two religious leaders to concur, thinking that all religions will be included.

This is the same sort of group that was responsible for creating this ill-gotten alternate motto, In God We Trust, in the first place, out of fear that we'd be perceived as a heathen nation. They put it on our coins so that long after our demise folks could look at our money and reflect on our piety. What do they want now? Maybe they want to fix what they perceive as wrong in government by inserting their version of morality. They glom onto this motto as a beginning. But they are wrong. That is not what is needed for there can be no religion in government. We do not need extra morality in public life. Morality is a personal matter. What we need is civility in our civic actions. We need ethics. Religion has morality. Civil government has ethics. In

addition to open minds, open ears, broad thinking and manners, E Pluribus Unum, a motto which is more than 150 years old --- as a matter of fact, this year is the 150th anniversary of the synagogue I belong to. We are not advocating placing any part of it on the walls of this chamber.

Haven't we learned by now to be open and welcoming to all, to include everyone? No matter how much they cajole, no matter how much money they spend, neither the majority nor the perceived majority gets more equality. The majority does not get ownership, superiority or even bragging rights, not in religion, not in race, not in national origin, not in gender or gender expression, not in healthcare needs, not in anything that has been divisive recently or ever. We are all equally equal in government and civic life, and we come together here in chambers on equal ground to do the people's business. This form of veiled prejudice, of self-righteous religious bullying is highly un-American. Xenophobia is quite unbecoming. It is not ethical. It's also a sin in my religion but that falls outside the realm of government. The final question I have are what on earth is patriotic about In God We Trust? It eludes me. And please don't take God's name in vain by posting it on a civil wall. Thank you very much.

PRESIDENT DEFAZIO: Thank you. Next we have the Honorable Rick Saccone. Let me say one thing before you start. We have one more speaker, when I called his name, he was out of the room, so you come up next.

REPRESENTATIVE SACCONI: Thank you, Mr. President. Thanks, Councilmembers, for allowing me to guest speak with you today. I really appreciate it. I'm here to support posting of our national motto, In God We Trust, on your chamber walls. This is not a religious issue. This is a history issue. This is a great Pennsylvania history story and I never tired of telling it. We're celebrating the 150th anniversary of our national motto, In God We Trust, on our coins. It started with our 13th governor, James Pollock, who before he was a governor was a U.S. Congressman and had the good fortune to take a room in the same boarding house with another freshmen Congressman by the name of Abraham Lincoln. They became good friends and when Lincoln became President, he appointed Pollock the Director of the U.S. Mint in Philadelphia. Pollock decided to put the term In God We

Trust on our coins. It was approved by Salmon Chase, the Secretary of the Treasury. Some of you may have his credit card in your wallet today, the same family lineage that Chase comes from. And it was approved by an Act of Congress and Abraham Lincoln. It's been on there --- it started on our two cent coins and it's been on our coins for 150 years. April 22nd was the 150th anniversary. It later became our national motto in 1956 under President Eisenhower.

Under President Kennedy, he said, the guiding principle and prayer of this nation has been, is now and shall ever be In God We Trust --- no less than our beloved President Kennedy. The legality of posting this, this is settled law. The Supreme Court has already ruled In God We Trust is on our money. They called it a secular phrase that respects and reflects our spiritual and patriotic heritage. That's as recently as 2010. It does not violate the establishment clause. It's been posted in over 370 municipalities and counties around the country this year, 107 of those are in California, so if it was ever going to be challenged, it would be there. There have been no challenges to it legally. It's engraved on the front steps --- the letter I put in your packet, on the front steps of our Capitol in Harrisburg. It's engraved in the front steps with Governor Pollock's name below it. He's recognized as the originator of that phrase.

We have, I think, seven counties in Pennsylvania that have now adopted it. The legal counsel for In God We Trust America has pledged to defend pro bono any municipality that would be sued for posting the national motto. There have been no takers so far. I just want to address a couple of the misrepresentations that have been out there. E Pluribus Unum has never been our national motto. It was a phrase approved for the Great Seal of the United States and it's still there. The only motto that we ever had --- and I brought the original legislation with me enacting the motto --- is In God We Trust. We've done a number of other things across the state. I've spoken across the state on this issue at over 60 places, overwhelming support, outpouring of support from constituents everywhere. Over in Milton, PA, James Pollock's hometown, they're building the In God We Trust Museum over there. It will be the national museum for In God We Trust. We're getting a federal grant for that. We

had a special coin struck with the history of In God We Trust of the story I just told you and a beautiful medallion coin, both in bronze and brass.

I just say --- I'll just end with --- because I know our time is limited that --- oh, we also passed the In God We Trust license plates so Pennsylvania will also have In God We Trust license plates. This is a great Pennsylvania history story. It's inspired people around the world and I could share those stories with you. Some of you know, I've traveled to 70 countries. I've been around the world and I see how that motto has inspired people around the world and here in America. So I hope you will consider it. It's a great story for Pennsylvanians to tell. I think we should be leading the country and posting our national Motto wherever we can. Thank you very much for your time.

PRESIDENT DEFAZIO: Thank you. One more speaker, Mark Kelly. We missed you.

MR. KELLY: My name is Mark Kelly and I was here last week, as you're aware. I'm an employee of Allegheny County. I am also a Probation supervisor with the Court of Common Pleas of Allegheny County, Fifth Judicial District. I'm also the President of Allegheny County Association of Court Supervisors. There are approximately 80 association members who are supervisors and work within the Fifth Judicial District. We supervise adult probation, juvenile probation, domestic relations, municipal courts. We also handle payroll and information management, to name a few. I believe all of our direct reports are unionized. I became the President of the Association back in 2008 and we established a memorandum of understanding of Allegheny County. It took effect for 2009, 2010, 2011. In September of 2011, I made contact with Allegheny County pertaining to an MOU, memorandum of understanding, for 2012, 2013 and 2014.

The meet and discuss sessions were infrequent. The last meet and discuss session was in December of 2013. In addition, we did not resolve issues related to the 2009, '10 and '11 memorandum of understanding. The members of Allegheny County Association of Court Supervisors, they haven't had a salary increase since 2011 and there remains salary compression issues. The court administrators have taken the position that because we are an association, they are deferring matters to Allegheny County. We are being treated as a union without the

entitlement of union protections. There has been some dialogue with Allegheny County administrators and I encourage this progress. Hopefully by the next Council meeting I'll be able to sit down with Allegheny County and we can get something resolved. The reason I am here today is to request your support in addressing the salary compression issues among the supervisors of the Court of Common Pleas of Allegheny County, Fifth Judicial District and also support of the option of interest arbitration with Allegheny County. Thank you.

PRESIDENT DEFAZIO: Thank you. Does someone want to make a motion to adjourn?

MR. ELLENBOGEN: So moved.

MR. FINNERTY: Second.

PRESIDENT DEFAZIO: Second. Any remarks? All those in favor signify by saying aye.

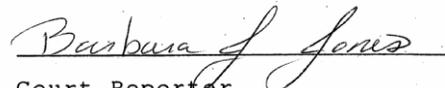
(Chorus of ayes).

PRESIDENT DEFAZIO: Opposed? The ayes have it. Thank you and have a good break.

MEETING CONCLUDED AT 6:08 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