

REGULAR MEETING

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BEFORE:

John P. DeFazio	-	President, Council-At-Large
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
James Ellenbogen	-	District 12
Amanda Green Hawkins	-	District 13

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

Wednesday, May 20, 2015 - 5:02 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
Jared Barker	-	Director of Legislative Services
Walter Szymanski	-	Budget Director
Jack Cambest	-	Counsel for County Council

PRESIDENT DEFAZIO: The meeting will come to order. Will you all rise for the Pledge of Allegiance to the Flag and remain standing for silent prayer or reflection? In our prayers I --- you to keep in mind one of our colleagues, one of our Council people, passed away. And I'm going to let everybody --- after we have the roll call, everybody to have an opportunity to say a brief statement going down with all the County Council people. So after me ---.

(Pledge of Allegiance recited).

(Moment of silent reflection).

PRESIDENT DEFAZIO: Roll Call.

MR. BARKER: Mr. Baker?

MR. BAKER: Here.

MR. BARKER: Ms. Danko?

(No Response.)

MR. BARKER: Mr. Ellenbogen?

MR. ELLENBOGEN: Here.

MR. BARKER: Mr. Finnerty?

MR. FINNERTY: Here.

MR. BARKER: Mr. Futules?

MR. FUTULES: Yes.

MR. BARKER: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. BARKER: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Here.

MR. BARKER: Mr. Kress?

MR. KRESS: Here.

MR. BARKER: Mr. Macey?

MR. MACEY: Here.

MR. BARKER: Mr. Martoni?

DR. MARTONI: Here.

MR. BARKER: Ms. Means?

MS. MEANS: Here.

MR. BARKER: Mr. Palmiere?

MR. PALMIERE: Here.

MR. BARKER: Ms. Rae?

MS. RAE: Here.

MR. BARKER: Mr. Robinson?

MR. ROBINSON: Present.

MR. BARKER: President DeFazio?

PRESIDENT DEFAZIO: Here. Okay. What I would like to do, starting with Representative Baker, if you want, if you would like to make a brief statement?

MR. BAKER: Yeah. Thank you, Mr. President. I'll start us off. The service last Tuesday for Councilwoman Danko was incredible. I think we all laughed. We all cried. It was just honestly a really touching tribute to her life and all that she did in the community. I think we're all just going to share just quick stories or antidotes. I only got to work with Councilwoman Danko for a year and a half, but I always enjoyed being her next seat --- I think Council Member Ellenbogen called her our next door neighbor, next seat neighbor, on Facebook the other day. Just so much enthusiasm. Now, I look back to last year at the LGA graduation ceremony, and her son was completing the program and I don't know that I've ever seen a prouder parent. And I have a pretty proud mom, but I've never seen a prouder parent than how proud Barb was the first time at that LGA graduation ceremony. So congratulations in her memory, of course, for the win yesterday. And she just did what she thought was right, and I think that's what we're all here to do, so ---. We will certainly miss her. And her family was amazing. They were just incredible last Tuesday at the service, so --- I like all of our colleagues, I'm sure, will miss her and wish her family all the best.

PRESIDENT DEFAZIO: Representative Ellenbogen. We're going down the line.

MR. ELLENBOGEN: I kind of knew Barb for probably 20-some years when she worked for the City years ago. As Councilman Baker eloquently put it, she was something. She was a warrior, and what she lacked in stature, she made up with in intestinal fortitude. I'll miss her personally. She was always good for some good anecdotes and fun to sit next to. And she was very passionate and very honorable in the way she felt about things. And I personally will miss her and her integrity. Thank you.

PRESIDENT DEFAZIO: Go ahead.

MR. FINNERTY: Thank you, Mr. President. Yeah, Barbara Daly Danko was a person that was extremely intelligent. And you always could have a good talk with her. We used to stop --- I used to stop in her office, she'd stop in my office sometimes and we'd discuss things. And even if we weren't on the same page, she always made a good argument and a reasonable conclusion to what she was standing for. And I respect her for that. And we're

going to miss her because her voice was a voice of reason in some chaotic scenes up here. And I appreciate that. May she rest in peace. Amen.

PRESIDENT DEFAZIO: Go ahead.

MR. FUTULES: I knew Barbara mostly as a Councilwoman, and she always had respect for all of us. She stuck to her guns as far as issues. And I respected her for that, but it wasn't until her death I actually realized that she was just a mother, a wife of four children, and her husband. At her eulogy they said she just wanted to be remembered for a good Irish Catholic girl that took a chance and married a Slovak. And that was her wish. That's all she wanted to be remembered as. And we will miss her here. And I'm sure her family. It's all about her family. I mean, politics doesn't mean anything once something like this happens. It's all about her family. She's got four kids, and I think their whole family is going to miss her just like we are, if not more. Thank you.

MS. GREEN HAWKINS: Thank you. I knew Councilmember Barbara Daly Danko --- first as a Council member is how I came to know her. And then, through the course of our time here together, I got to know her as a person and as a wife and mother. And aside from what we do here, I'll say what I will always remember about her is that she had a lot of integrity, lots of common sense and she exhibited the qualities that I think we, as elected officials, would want to have serving the public in office. And she always did what she believed was right. And that is sometimes difficult for people to do because of outside pressures. And she was unyielding. If she believed it was right, bring on the pressure. She was not going to bend, all, what, five five of her, maybe 100 pounds or so. One of the toughest women I have ever known. And I'm thankful for my time spent with her and getting to know her.

She was also very funny. I'll say that as well. During the later part of this past month, I remember just cracking up at some of the texts that she would send me. Only Barbara have me cracking up at a moment like this with some of the things that she had sent me. But in any event, I will always remember the type of person she was. And so her legacy will live on. Her body is not here, but her legacy will indeed live on because I will always look

at certain situations and think to myself, what would Barbara do and try to live up to that standard.

PRESIDENT DEFAZIO: Go ahead.

MS. HEIDELBAUGH: Thank you. Words fail us at times like these, especially when we're trying to describe a person who was beyond the ordinary. I met Barb shortly after I joined Council and she was a new member to Council as well. And I was trying to understand the procedures of Council. Even though I was a lawyer, these procedures were new to me. And it quickly became very apparent to me, having served on the Budget and Finance Committee with her, that she was extremely intelligent. She had a very deep knowledge about government finance, which is a subspecialty that most people don't have a lot of knowledge of. And after several months I went up to her. She was a progressive Democrat and I am a conservative Republican. And I went up to her and I said, you know, Venn diagrams that you learn about in school have an intersecting commonality. One would think that we might not have that, but I think if circles can have it, we can have it. We just need to find ours. And she laughed that really great laugh of Barbara Daly Danko. And she said, well, we'll see about that. And we did find our commonality. We found that we both were fervent about process and about rule of law. And she and I were able to forge a friendship on that agreement which is something that we so desperately need in America today, to be able to reach out to people who we don't always agree with, but whom we respect and find commonality.

And I always admired her for her integrity. Her positions were sometimes, but not often actually, different than mine. And I found her to be a breath of fresh air.

In addition, she has a daughter who has juvenile diabetes as does my colleague, Jan Rae, and myself. And she worked hard to try to raise money and awareness for juvenile diabetes. At her funeral, her daughter, with great grace, stood and delivered some remarks about Barbara, her mother. And she said, my mom once described Heaven as having a newspaper and a cup of coffee. I think Barbara was in heaven, and she read that she won yesterday. So it was probably a perfect day in heaven for Barbara Daly Danko.

PRESIDENT DEFAZIO: Okay. I'm going to go last. Go ahead.

MR. MACEY: Thank you, Mr. President. I only knew Barbara Daly Danko through County Council, and I used to see her sometimes out in her District and at various functions. She was an educator and a darn good public servant. And like others have said, she had a mind of her own. And when she was right, I guess she was right.

The other thing that really was important to me and being that she was a two-time survivor and finally succumbed to cancer, when my wife had breast cancer, Barbara was very comforting to me. And she said, Bob, we've come a long way with this disease. Don't worry. She'll be all right. And she's cancer free today. Thank you.

DR. MARTONI: I probably have known Barbara longer than anyone here. Where she lived and the town I live in is just a few blocks apart. And every political activity I had --- I was in various offices in my town, everything from a school director to a councilman to a mayor and down here --- Barbara was always one of the individuals from that ward that would come to all of our events in the town I live in which was Swissvale. So I have a fond memory of her. She was always supportive. And also, we were colleagues. Quite a few years ago, I had a conversation with her, and she was interested in teaching at the community college. And I made arrangements that she taught there for a good while, in fact. Okay. And all my reviews from her students were always excellent. She was a magnificent teacher, cared about her students much like she cared about things here. When her mind was made up about an issue, God bless her, boy, she'd take it and run with it. And I think that was really admirable. Even if you were on the opposite side of that issue, you have to admire people like that so I just have fond memories of her. Thank you.

MS. MEANS: Well, I, too, just met Barbara 18 months ago. And I'm going to miss her laugh, her quick wit. And she was the first person to say, I'm just saying ---. And she had the cutest way of saying it. And so every time I hear somebody say, I'm just saying, I see Barbara's face and her smile. I thought Barbara --- I know Barbara was brilliant. She was witty. She was very articulate. She loved her family and she was so proud of her family. And Barbara and I, too, were diametrically opposed politically, but we shared a very common love of transparent, good government, a belief that every voice

belongs at the table and every voice should be heard. And so Barbara has inspired me --- her memory has inspired me to sit taller, stand taller and fight harder for good government. And I, too, am going to miss Barbara greatly, and I wish all the best for her family.

PRESIDENT DEFAZIO: John?

MR. PALMIERE: Thank you, Mr. President. One of my fondest memories of working with Barbara for the past four years was the times that we started naming roads and bridges and everything after people. And she came up with the idea of naming the 16th Bridge after David McCullough and I said, oh, you mean, the author and the historian from Pittsburgh? And she looked up at me and said, you really know who that is. And I said, yeah, Barb, I said, I've read most of his books. And we got into a conversation and it built up a relationship between the two of us. And I was very happy and very comfortable with her all this time.

And the only thing I want to finish by saying, Barbara transcended politics. She was a lady. She was a wonderful mother, person. And her husband and family, they were --- it was such a first-class situation when I went to pay my respects how they were all there. And we met each one as we went down the line. And I thought it was just a classy way. I'm sure Barbara would have been very proud of the way her family reacted that day. And I was proud to know her and I'm going to miss her. I'll just end with that. Thank you.

PRESIDENT DEFAZIO: Jan?

MS. RAE: I remember her for her strength and her kindness to everyone, to all her colleagues. I feel very privileged to have served with her on Council. I'll miss glancing over at her during debates. I'd kind of glance over to see --- I could tell on her face sometimes maybe what she was thinking. And I was really glad I did attend her service, and it made me feel really kind of happy and more aware of who she was, because her sisters talked about how she loved to dance so that me feel like she had this wonderful life outside of what she was here. And that was really just kind of sweet to know. So thank you.

PRESIDENT DEFAZIO: Bill.

MR. ROBINSON: Thank you, Mr. President and members of Council. I had many conversations with Ms. Danko. And those conversations, in the main, were in

private because they were supposed to be in private. They were personal, private conversations mainly in her office, sometimes with the door shut, but a lot of times not with the door shut, but both of us speaking in some kind of code that we understood. The last time Ms. Danko was here that I can remember, her husband, George, came with her. And I remember leaving this building with the two of them. And as we walked down the steps out to the courtyard, I turned to him and said, thank you very much for allowing Barbara to work with us. Neither one of them said anything. We walked all the way to the parking lot and got in our vehicles and they never said a word. I said see you later. They never said a word. I never saw Barbara after that because I don't think she ever came back to this Council. But I was speaking from my heart. I had the pleasure of those private conversations with Ms. Danko, but I also had the pleasure of her serving on the Budget and Finance Committee. And oftentimes our private conversations were about matters that had occurred in Budget and Finance. But I always liked the fact that when she was in Budget and Finance, she wanted to hold her position. And I'll always remember saying to her, Barbara, that's what you want to do? And she would say yes. I said, I'll tell you what. I'll support you on that on several occasions. And I meant that from my heart, too, and I did. And when sometimes things didn't work out her way, in private, I would say to her, Barb, remember what you said and remember what I said. But I'm not mad at you because what I said actually happened, and what you said did not happen.

We developed a strong relationship. And once I found out that she taught political science at the community college she, Doc and I were friends forever. And once I found out that she had a real interest in policy and political science, I loved her even more because I have two degrees in political science. And Barb seemed to understand some of my anxieties and some of my concerns maybe better than any of my colleagues, and I always respected her for that and always enjoyed working with her. And I most enjoyed those private meetings because I've been in politics long enough in government that the meetings in the garage and in a parking lot or in a restaurant or in a hallway are priceless. And Barb was always willing to listen, always willing to help. And when sometimes I wanted to just throw my hands up and say,

to hell with this, Barbara Danko would say something that would encourage me, that if she wanted to stay in the fight and find a way to keep her foot in two different camps at the same time or maybe even three, that I owed it to her to keep going.

Barbara Danko, my colleague, was the only person in my more than 30-some years as an elected official I ever discussed retirement with. Never even talked about that with anybody under what circumstances or anything, except Barbara Danko. I trusted her, I respected her, and we were able to say to each other, is it time? Is it time to step aside. It was obvious that neither one of us felt it was time when we had the discussion.

One of the great pleasures of my life was to go to her viewing, see her family, meet them and deliver to them a card that I had carefully selected and to hand it to her husband and tell him I'm going to miss her and this Council is going to miss her. I didn't cry. Usually in those circumstances I cry. I didn't cry. But since I met Ms. Danko, I've thought about her, and I thought about a lot of conversations we had, public and private. I still hold her in high esteem, and I will say unashamedly I am so glad she won. I am so glad her husband voted for her. I am so glad the people voted for her, unashamedly. And yes, I wish she was sitting right down there because oftentimes I would look down there right in her face, and decide how I was going to vote based on what Barbara said. I got a little process as we come down here, I evaluate everybody's vote and I count every vote. And Barbara was number two. But I would always read her. Then when I got to Ms. Green Hawkins, I was pretty sure which direction I was going to go. But I was still looking at Barbara to see, well, what are you going to do?

In closing, let me say that when Ms. Danko would speak, I would really paid attention. She gave me a chance to evaluate what decisions I should make based on policy, politics and yes, on personality. And I used her as a marker for that. If you check the record, you will see Ms. Danko and I voted together on almost every piece of legislation that came before this Council, and that I was one of the people bold enough to co-sponsor legislation that she put forward that has about as much chance of passing as a mouse does of passing a block of cheese. Thank you, Mr. President and members of Council.

PRESIDENT DEFAZIO: Thank you. Ed, you weren't here. I told everyone to say --- if you want, to say a few, brief words about Barbara.

MR. KRESS: Yeah, just real ---. I mean, I was listening to everybody on the speaker and I just can say she did what she thought was right. And that's what you look for in a public servant. You know, I guess there's always pressure to do one thing or another, but she always did what she thought was right. And the fact is she was winner in life and a winner in death. I mean, she won the election and that is just a testament to herself as to what she was as a public servant, as a County Council person, so ---. I mean, I was at the funeral home and everybody there --- again, there was a lot of people there saying good things about her. And that's all you can say about a person, she did what was right. So thank you.

PRESIDENT DEFAZIO: Thank you. You know, I agree. Everyone had a lot of good things to say, and I basically agree with everything that was said. I'd just add a few more words. I know she was a good family person, I know she was intelligent, I know she worked hard. She really researched everything before she jumped out and did it. And you could convince her if you had a good argument and talked to her that maybe you should go the other way. If you had a good case, she'd go with you so --- I'd just like to add that also to everything else that was said. Thank you.

MR. ELLENBOGEN: I'm not real good like somebody putting that on me, but I just remembered something and I just wanted to share it with everybody about Barbara.

PRESIDENT DEFAZIO: Go ahead.

MR. ELLENBOGEN: The interesting thing about her was her scope. A couple of you that were in your office one day --- remember one day she was thoroughly ticked? She slammed that door so hard that I thought the glass was coming off the hinges. You know, she always reminded me of that little lady on NCIS, you know, and she stormed out of there like everyone --- you know, I'm not going to use the verbiage that she used.

PRESIDENT DEFAZIO: She wasn't mad at me that day.

MR. ELLENBOGEN: No, not me either, which I was glad. But at the same time, too, --- and Councilman Palmiere reminded me of the fact --- was the David McCullough Bridge. Now, I had first dibs on that bridge

for Art Rooney at the time. And I thought, well, you know what? There's going to be a battleground around here because I drew a line in the sand. So I figured she was going to come at me, so she very articulately came to me and she brought me all this stuff about David McCullough and all the things he had done and very articulately. And by the time she was done with me, I had totally bought into what she doing. She had proved her case to me very articulately, very intelligently and just like completely flipped me. And then when they did the whole thing, I realized that she was right. So I just wanted to share that and thank you, Councilman Palmiere, for reminding me. Thanks.

PRESIDENT DEFAZIO: We're going to go on to Proclamations and Certificates. 8962-15.

MR. BARKER: Proclamation honoring Allegheny Police Officers Keith Cecotti and Christopher Swanson for saving the life of Mr. Paul Kvederis in South Park on April 11, 2015. Sponsored by Council members Ellenbogen, Baker, Finnerty, DeFazio, Heidelbaugh, Kress, Macey, Martoni, Palmiere, Rea, Robinson and Means.

MR. ELLENBOGEN: Thank you, Mr. President. I would ask Officer Cecotti and Officer Swanson if they would please join me at the podium? Also Mr. and Mrs. Paul Kvederis, if you'll kindly --- uh-oh. I don't think the boss wants to come out. Come on. Before I read the proclamation, I just wanted to say that, you know, the Allegheny County Police, I'm so proud of the work that they do. And it goes unnoticed so much. I mean, you hear about so many different, you know, police departments and this and that. And our County police do their job every day and you never hear the notoriety and this and that. And they're so trained and versed in so many different life-saving techniques and whatnot. And I've very proud of these officers, and I wanted the public to just be aware of not only their ability as police officers, but their ability as public safety people, too. And as the Public Safety Chair I take that stuff really to heart.

With that, I'd like to read the following Proclamation.

WHEREAS, on April 11th, 2015, Allegheny County Police Officers, Keith Cecotti and Christopher Swanson responded to and rendered medical aid to an unconscious 80-year old park patron, Paul Kvederis, on Maple Springs Drive in South Park.

AND WHEREAS, Officers Cecotti and Swanson recognized that Mr. Kvederis was no longer breathing, had no pulse and required life-saving emergency medical treatment to save him from dying.

AND WHEREAS, Officers Cecotti and Swanson requested emergency medical assistance, administered CPR and successfully used the automated external defibrillator, the AED. Once Mr. Kvederis' pulse and breathing stabilized, he was transported to St. Clair Hospital by ambulance.

AND WHEREAS, working together, Officers Cecotti and Swanson helped save Mr. Kvederis' life. And we salute them for their quick response, decisive actions and application of training and experience.

AND WHEREAS, Mr. Kvederis is well today because of the heroic actions of Officers Cecotti and Swanson.

NOW, THEREFORE, let it be resolved that Allegheny County does hereby honor Allegheny County Police Officers Keith Cecotti and Christopher Swanson for their life-saving act. And we bestow our highest accommodation for their commitment to the safety and wellbeing of Allegheny County's residents. The actions of Officers Cecotti and Swanson bring great credit to themselves, the Allegheny County Police Department and Allegheny County.

Sponsored by myself and members of Council this day, the 20th day of May, 2015. Gentlemen.

(Applause.)

MR. ELLENBOGEN: I think what I'm going to do is I'm going to let Mr. Kvederis have his say.

MR. KVEDERIS: Well, there really are no words to express my gratitude for what these gentlemen did to help me be here this evening. We hear, you know, a lot of negative things about the police. Well, I'll tell you what. This is a 180-degree turnaround because they did what they were trained to do and what they knew to do. And I'm here only with my thanks to those fellows. And again, there are really no words to express gratitude for giving me a second chance. I don't know what God might have saved me for, you know, but I guess we'll find out somewhere along the line. So thanks again, guys. That was pretty awesome.

MR. ELLENBOGEN: Officer Swanson, do you want to say a few words?

OFFICER SWANSON: Yeah. I wanted to thank Council and thank you, Councilman Ellenbogen, for that

nice proclamation. I graduated the Academy in the summer of 1990. And when I was first working in South Park, I was working with a gentleman who was hired as a County police officer in 1956. So he was a policeman ten years before I was born. And you mentioned the quiet professionalism that the Allegheny County police have had. That's been going on for all these decades, and I'd like to see it continue to go on for many more. Thank you.

(Applause.)

OFFICER CECOTTI: Thank you. Again, I had actually prepared some remarks, but after all the nice things that have been said, I don't know what's left to be said other than thank you very much. It is nice to be recognized because as was pointed out there's a lot of negativity out there. It's nice to be recognized for something positive. And to echo what Chris said, number one, you know, we really did nothing more than any of our co-workers would have done if they would have been the ones on the scene.

And number two, it's a pleasure to serve the County in our capacity in the parks, and we just hope to have that ability to keep doing that for years to come. Thank you very much.

(Applause.)

MR. ELLENBOGEN: These gentlemen exemplify not only the strength, but the compassion of the Allegheny County Police Department. They are truly a credit and an example of what the Department represents, and I thank them, and I'm sure all of my colleagues thank you also for your hard work and your professionalism and concern and care for the community. Thank you again.

(Applause.)

(Pictures taken.)

MR. FUTULES: Mr. Barker?

MR. BARKER: Yes?

MR. FUTULES: Could you add me as a co-sponsor? I don't see my name on here.

MS. GREEN HAWKINS: Can you add me as well? I don't see my name either. Thank you.

MR. FUTULES: Including the next one, too,
8963-15.

MR. BARKER: Good enough.

MS. GREEN HAWKINS: Yes, the next one, too.
Thank you.

PRESIDENT DEFAZIO: 8963-15.

MR. BARKER: Proclamation honoring Allegheny County Police Officer William Gorman for saving the life of a 9-month-old infant at the Pittsburgh International Airport on April 3, 2015. Sponsored by Council members Ellenbogen, Baker, DeFazio, Finnerty, Heidelbaugh, Kress, Macey, Martoni, Palmiere, Rea, Robinson, Means, Futules and Green Hawkins.

MR. ELLENBOGEN: Thank you, Mr. President. Here is Officer William Gorman, who was also an exemplary officer who represents also the professionalism and care of the Allegheny County Police Department. You know, this is great stuff because, you know, lately, --- you know, and I come from a police family, so this stuff is like real personal to me. And it just is --- I'm just so proud to be able to show the public just the quality of the officers that we have on this Department. And here's just three examples just in one night. So with that, I'd like read this proclamation.

WHEREAS, on April 3rd, 2015, Allegheny County Police Officer William Gorman observed a parked vehicle along the exit road of the Pittsburgh International Airport.

AND WHEREAS, upon approaching the vehicle, Officer Gorman was confronted with a 9-month-old infant who was choking on food and barely responsive.

AND WHEREAS, Officer Gorman requested emergency medical assistance and took immediate action by securing the infant, repositioning her in his arm to initiate three quick thrusts to her upper back which successfully opened her airway allowing her to breathe again.

AND WHEREAS, we salute Officer Gorman for his quick response, decisive actions and application of training and experience which prevented a potentially tragic event.

AND WHEREAS, the infant is well today because of the heroic actions of Officer Gorman.

NOW, THEREFORE, let it be resolved that Allegheny County Council does hereby honor Allegheny County Police Officer William Gorman for his life-saving act. And we bestow our highest accommodation for his commitment to the safety and wellbeing of visitors and residents of Allegheny County. Officer Gorman's actions bring great credit to himself, the Allegheny County Police Department and Allegheny County.

Sponsored by myself and members of Council this 20th day of May, 2015.

(Applause.)

MR. ELLENBOGEN: You know, all of us that have children or grandchildren really have to take this to heart because this gentleman's quick response not only gave the family, but gave an young infant the opportunity to have a long and prosperous life. And who knows what accomplishments that child will be able to accomplish in her life because of the actions of Officer Gorman. And I personally am very proud, as this County is very proud, of his actions, as the other officers. And he, too, presents the care, compassion and professionalism of the Allegheny County Police Department. Thank you again, sir.

(Applause.)

OFFICER GORMAN: Thank you. I just have a few words. I'd like to thank President DeFazio, esteemed members of Council, Councilman Ellenbogen, for this award.

I also want to thank my family who are present here, my wife, Jessica, my esteemed colleagues for helping me be the best person I can be for this County. I just want to remind people that the reason why we're here is truly to protect and serve. And as you can see, this is just a small portion of what we do. We might not get honored every day, but there's officers out there every day putting their lives on the line for this community, for you and for everyone else out here. I'd just like to thank you for honoring us this day.

(Applause.)

MR. ELLENBOGEN: This is great stuff. I'm only sorry Superintendent Moffatt couldn't be here today because duty called. He had a situation that required his presence there. But this is great stuff, and I hope the public appreciates the fact that we got a great police department here. Thank you.

(Applause.)

(Pictures taken.)

PRESIDENT DEFAZIO: 8964-15.

MR. BARKER: Proclamation declaring the week of May 17th through 23rd, 2015 as Public Works Week in Allegheny County. Sponsored by Council members Macey, Baker, Danko, DeFazio, Ellenbogen, Finnerty, Futules, Green Hawkins, Heidelbaugh, Kress, Martoni, Means, Palmiere, Rea and Robinson.

MR. MACEY: Thank you. With me is Joe Hrabik. He's the Deputy Director of Public Works in Allegheny County, Cathy Trexler, who is the Allegheny County Management Analysis and board member and past president of the America Public Works Association. And also is Peter Overcashier, who is the Public Works Director in Peters Township.

Every year I have the opportunity to recognize our Public Works people and proclaim Public Works Week. And you know, we ride these roads and go over these bridges, and sewers are taken care of and water comes in to your house, and we never really think about the people that do that. I know what we think about when we pay our bills. We worry about it when we're stuck in traffic and there's cones everywhere. And we think about it when there's potholes that may jar your teeth. But believe me, our Public Works people do a tremendous job. And in the case of Allegheny County, I don't know about Peters Township, we do a lot more with less money. It's just amazing. So what I'd like to do is read this proclamation.

WHEREAS, Public Works infrastructure facilities and services are of a vital importance to the health, safety and wellbeing of the people of Allegheny County.

AND WHEREAS, such facilities and services could not be provided without the dedicated efforts of public works professionals, engineers and administrators.

AND WHEREAS, these individuals represent all levels of government and are responsible for the --- must design, build, operate and maintain the transportation, water supply, sewage and refuse disposal systems, public buildings and other structures and facilities essential to serve our citizens.

AND WHEREAS, it is in the public interest for the citizens and civic leaders of this County to gain knowledge of and maintain an interest in the public works needs and programs of their respective communities.

AND WHEREAS, this year, 2015, marks the 55th Annual National Public Works Week.

NOW, THEREFORE, be it resolved that Allegheny County Council does hereby designate the week of May 17th through the 23rd of 2015 as Public Works Week in Allegheny County. Council urges all citizens to join with representatives of governmental agencies and the American Public Works Association in activities and ceremonies

designed to pay tribute to our public works professionals, engineers, administrators, and to recognize the substantial contributions they make to our national health, safety, welfare and quality of life.

Sponsored by myself and Allegheny County Council.

One of the things I want to remind people, that this is construction season. You're going to see cones. You're going to see people out there working. You're going to see ribbons. You're going to see a lot of different things; barrels. Be careful. Slow down. And please watch out for our construction workers. Thank you very much.

(Applause.)

MS. TREXLER: On behalf of the American Public Works Association, thank you for recognizing the men and women of Public Works. National Public Works Week is observed annually the third week of May. This year's theme is Community Begins Here, recognizing the fact that community begins with Public Works services contributing to the quality of life in communities around the world. Public Works provides us with clean water, safe streets and neighborhoods, efficient traffic and safe, clean communities.

Our Western Pennsylvania chapter represents 25 counties in the Commonwealth. We provide seminars and workshops focusing on regulatory compliance, grant opportunities, skill building and safety training. We provide a forum to exchange knowledge and ideas for cost effective and sustainable solutions for Public Works' operations, maintenance and engineering technologies. We strive to be a comprehensive Public Works resource.

And on that note, on June 4th, we will be hosting our Annual Public Works equipment show and seminars in Blueberry Hill in Franklin Park from 8:00 a.m. until 2:00. And the show features more than 30 vendors, displays, demonstrations and educational programs. This year the seminar topics are Leasing Versus Buying, What's Right for Your Fleet, where we will be focusing on Westmoreland County's fleet leasing program, and GPS Tracking for Municipal Fleets featuring the City of Pittsburgh's snow plow tracker.

Both sessions are eligible for continuing education units and Public Works employees, fleet managers, municipal managers, municipal engineers and

elected officials are welcome to attend. So we hope to see you there.

And again, thank you for recognizing Public Works in Allegheny County.

MR. HRABIK: Well, Mr. Macey and Council members, thank you very much for this proclamation, for this recognition. All of the hardworking people in Allegheny County Public Works appreciate it, and also the various Public Works departments throughout Allegheny County. Thank you very much.

(Applause.)

(Pictures taken.)

PRESIDENT DEFAZIO: 8965-15.

MR. BARKER: Proclamation congratulating the Pleasant Hills Public Library on the momentous occasion of its 70th Anniversary. Sponsored by Council member Palmiere.

MR. PALMIERE: Thank you, Mr. President and members of Council. This is one of the things I really enjoy doing, being a public servant here at the Council, is to honor some wonderful accomplishments over the years. With me today is Sharon Milas and her fourth grade daughter, Adeline.

MS. MILAS: She's too ---.

MR. PALMIERE: Oh, okay. Adeline wants to hide behind the chair there. Sharon is the library director. Robert Dressing is the Library Board president. Pamela Wooding is the Library Board vice president. We also have Donna Lowman, the Library Board secretary. Ken Gournic, is the Library Board treasurer over here. And Karen Zovko is the President of the Friends of the Library. It's really nice to have all of you here today.

One thing I just want to say, you hear so many times people saying oh, the library, what use are they? They're kind of outmoded, so on and so forth. Well, I want to tell you, I'm very fortunate to represent an area that has wonderful libraries. People, like these good people here, keeping the whole spirit of the library and what it was all about. A meeting place, a place to come and read. I can't think of a better place in my younger days when I used to have the life and time to do things to go to the library, the public library and grab a couple of books and just sit there and just read and, you know, soak up the knowledge. It was just a wonderful thing to do.

I'm going to let these good people have a chance to speak here, but I want to read the proclamation.

WHEREAS, Allegheny County is blessed with individuals and organizations such as the Pleasant Hills Public Library dedicated to enhancing the quality of life in our neighborhood and the community as a whole.

AND WHEREAS, in 1944, before the Borough of Pleasant Hills was incorporated a few residents wanted a local place where they could borrow books, learn and gather. They found space on the second floor of a fire hall and opened the Pleasant Hills Public Library on November 29th, 1945 with one of the founders --- is it Ina ---

MS. MILAS: Yes.

MR. PALMIERE: --- Ina Hubbs as the first director.

AND WHEREAS, during 2015 the celebration of the Pleasant Hills Public Library 70th Anniversary will take place each month with special programs designed to reinforce the library's earliest goals and its future mission. By 2018, the Pleasant Hills Public Library will be our community's gateway for information, inspiration and intellectual pursuits through multi-media resources, expert staff and high quality programs that involve patrons, community partners and volunteers in a welcoming environment.

AND WHEREAS, on November 7th, 2015, the Library will hold a special wine-tasting event to honor the decades and the Library's volunteers since its founding.

NOW THEREFORE, be it resolved that the Allegheny County Council does hereby congratulate the Pleasant Hills Public Library on the momentous occasion of its 70th Anniversary. The Library's commitment to the neighborhood and its citizens serves as an inspiration to us all. And we offer our sincerest thanks to all present and former staff members, volunteers and board members for their dedication and professionalism. Sponsored by myself and members of my --- excuse me, my colleagues on County Council.

So would you like to have a --- would someone like to say something here?

(Applause.)

MS. LOWMAN: I'd like to thank everybody for this great occasion and to invite us to come down and speak to County Council. As a librarian, I have to tell

you that David McCullough has a new book out. It's called The Wright Brothers, just in case you're interested.

And Ms. Hubbs, as she was affectionately known, started the library for the community. And I'd like to say that strong communities have a strong public library. And if you want a strong community, you need to have a strong public library. You talk about going across parties, and bipartisanship, you may argue about how to fund public libraries, but there's nowhere else in the community that can draw people together. So thank you very much for this opportunity.

(Applause.)

MR. PALMIERE: Anyone else? Okay. Thank you very much for being here.

(Pictures taken.)

PRESIDENT DEFAZIO: 8966-15, and the rest of the proclamations will be read into the record.

MR. BARKER: 8966-15. Proclamation congratulating the United Way of Allegheny County 2015 Be There Awardees. Sponsored by Council Member Baker.

8967-15. A Proclamation declaring Thursday, June 11th, 2015, to be Global Solutions Pittsburgh Day in Allegheny County. Sponsored by Council Member Baker

8968-15. A Proclamation congratulating Ms. Patricia Kurzawski upon the occasion of her retirement after 41 years of dedicated service with the Allegheny County Medical Examiner's Office. Sponsored by Council Member Ellenbogen.

8969-15. A Proclamation commending Port Authority Police Detective Sergeant William Wagner for his decisive action on March 23rd, 2015 at the Sheraden Park N' Ride lot. Sponsored by Council Member Green Hawkins.

8970-15. A Proclamation congratulating Port Authority Police Chief Stephen McCauley upon the occasion of his retirement after 28 years of dedicated service to the Port Authority of Allegheny County. Sponsored by Council Member Green Hawkins.

8971-15. A Proclamation congratulating Reverend Ernie Strelinski upon the occasion of his 50th Anniversary of his ordination. Sponsored by Council member Macey and Kress.

8972-15. A Certificate of Recognition presented to Mr. and Mrs. Ronald and Lana Jean Urbansky upon the occasion of their 50th wedding anniversary. Sponsored by Council member Macey.

8973-15. A Certificate of Recognition presented to Mr. and Mrs. Joseph and Cecelia Hlad upon the occasion of their 65th wedding anniversary. Sponsored by Council Member Macey.

8974-15. A Certificate of Recognition congratulating Mrs. Anna Rack Stencil upon the occasion of her 100th birthday. Sponsored by Council Member Macey.

8975-15. A Certificate of Recognition congratulating Mrs. Vervaine E. "Vickie" Mains upon the occasion of her 100th birthday. Sponsored by Council Member Macey.

8976-15. A Certificate of Recognition awarded to Castle Shannon Borough for hosting a Community Day on May 24th, 2015. Sponsored by Council Member Palmiere.

8977-15. A Certificate of Recognition presented to Whitehall Borough for hosting its annual Community Day Celebration on May 30th, 2015. Sponsored by Council member Palmiere.

8978-15. A Certificate of Recognition presented to the City of Clariton for hosting Memorial Day Celebration and Parade on May 25th, 2015. Sponsored by Council Member Palmiere.

8979-15. A Certificate of Achievement awarded to Greg Korbe of Boy Scout Troop 296 for earning the rank of Eagle Scout. Sponsored by Council Member Palmiere.

PRESIDENT DEFAZIO: Public Comment. And there's none on the agenda?

MR. BARKER: Correct.

PRESIDENT DEFAZIO: 8956-15.

MR. BARKER: A Motion approving the minutes of the April 21st, 2015 Regular Meeting of Council.

MR. MACEY: So moved.

MR. FUTULES: Second.

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

(Chorus of ayes.)

PRESIDENT DEFAZIO: Those opposed? The ayes have it. Presentation of Appointments. Unfinished Business. Committee of Appointment Review, Second Reading. 8860-15.

MR. BARKER: Approving the reappointment of Kurt Kondrich to serve as a member of the Allegheny County Mental Health/Intellectual Disability Advisory Board for a term to expire on December 31st, 2017. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Representative Rae?

MS. RAE: Thank you. The Committee met and recommended that Mr. Kondrich be appointed to the --- be reappointed to the Allegheny County Mental Health/Intellectual Disability Advisory Board. And I need a motion, please.

MR. FUTULES: Second.

PRESIDENT DEFAZIO: Under remarks?

MS. MEANS: (Indicating.)

PRESIDENT DEFAZIO: Go ahead.

MS. MEANS: I was present when we interviewed Kurt Kondrich, and I just wanted to say he's a wonderful advocate for special needs. He's a wonderful person who was a police officer, switched his career because he had a child born with special needs, to become a full-time advocate for parents with special needs. So it's a great honor to have him serving on this committee. Thank you.

PRESIDENT DEFAZIO: Seeing no more remarks, all those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it.
8900-15.

MR. BARKER: Approving the appointment of Brandon Coney to serve as a member of the following Authorities: the Allegheny County Industrial Development Authority, the Allegheny County Hospital Development Authority, the Allegheny County Higher Education Building Authority and the Residential Finance Authority administered collectively through the Finance and Development Commission, for a term to expire on December 31st, 2019. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Representative Rae?

MS. RAE: Thank you. The Committee met and recommends the approval of Brandon Coney to serve as a member of the Finance and Development Commission, and I need a motion to approve.

MS. MEANS: I'll make a motion.

MR. FINNERTY: 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.
8902-15.

MR. BARKER: Approving the reappointment of Donald Newman to serve as a member of the Allegheny County

Conservation District Board for a term to expire on December 31st, 2018. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Representative Rae?

MS. RAE: Excuse me. The committee met and recommends that Donald Newman be reappointed to the Allegheny County Conservation District Board. I need a motion, please.

MS. MEANS: I'll make a motion.

MR. PALMIERE: Second.

PRESIDENT DEFAZIO: Second. Under remarks? Seeing none --- oh, go ahead.

MS. MEANS: I just wanted to mention that I was really impressed with Donald Newman. He's a visionary. He's very dedicated. And he's just doing a great job and is a real asset to the Conservation Board, and I highly recommend him.

PRESIDENT DEFAZIO: Seeing no other remarks, all those in favor respond by saying aye.

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it.
8904-15.

MR. BARKER: Approving the reappointment of Michael Finnerty to serve as a member of the Allegheny County Conservation District Board for a term to expire on December 31st, 2015. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Representative Rae?

MS. RAE: Thank you. The Committee met and had the Honorable Mr. Finnerty come in and the Committee moves for the recommendation to reappoint him to the Allegheny County Conservative District Board.

MR. FUTULES: I make a motion.

MR. PALMIERE: Second.

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

(Chorus of ayes.)

PRESIDENT DEFAZIO: Those opposed? The ayes have it. Committee on Budget and Finance, Second Reading.
8950-15.

MR. BARKER: A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2015, Submission 05-15. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Mr. Finnerty?

MR. FINNERTY: Thank you, Mr. President. This was released from committee with an affirmative

recommendation, and I would like to make a motion to approve.

PRESIDENT DEFAZIO: Second.

MR. FUTULES: second.

PRESIDENT DEFAZIO: Under remarks? Seeing none, we'll have the roll call.

MR. BARKER: Mr. Baker?

MR. BAKER: Aye.

MR. BARKER: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. BARKER: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. BARKER: Mr. Futules?

MR. FUTULES: Yes.

MR. BARKER: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. BARKER: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

MR. BARKER: Mr. Kress?

MR. KRESS: Yes.

MR. BARKER: Mr. Macey?

MR. MACEY: Yes.

MR. BARKER: Mr. Martoni?

DR. MARTONI: Yes.

MR. BARKER: Ms. Means?

MS. MEANS: Yes.

MR. BARKER: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. BARKER: Ms. Rae?

MS. RAE: Yes.

MR. BARKER: Mr. Robinson?

MR. ROBINSON: Aye.

MR. BARKER: President DeFazio?

PRESIDENT DEFAZIO: Yes.

MR. BARKER: Ayes, 14; nays, 0. The bill passes.

PRESIDENT DEFAZIO: 8951-15.

MR. BARKER: A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2015, Submission 05-15. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Representative Finnerty?

MR. FINNERTY: Thank you, Mr. President. Again, this bill was approved --- or resolution, I'm sorry, was approved by the Committee and sent with an affirmative

recommendation to full Council. I make a motion to approve.

MS. MEANS: Second.

PRESIDENT DEFAZIO: Under remarks? You have a ---?

MR. FUTULES: No.

PRESIDENT DEFAZIO: Seeing none, we'll have a roll call vote.

MR. BARKER: Mr. Baker?

MR. BAKER: Aye.

MR. BARKER: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. BARKER: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. BARKER: Mr. Futules?

MR. FUTULES: Yes.

MR. BARKER: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. BARKER: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

MR. BARKER: Mr. Kress?

MR. KRESS: Yes.

MR. BARKER: Mr. Macey?

MR. MACEY: Yes.

MR. BARKER: Mr. Martoni?

DR. MARTONI: Yes.

MR. BARKER: Ms. Means?

MS. MEANS: Yes.

MR. BARKER: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. BARKER: Ms. Rae?

MS. RAE: Yes.

MR. BARKER: Mr. Robinson?

MR. ROBINSON: Aye.

MR. BARKER: President DeFazio?

PRESIDENT DEFAZIO: Yes.

MR. BARKER: Ayes, 14, noes 0. The bill passes.

PRESIDENT DEFAZIO: 8850-15.

MR. BARKER: And Ordinance authorizing the County of Allegheny to convey one parcel of land in the Township of Stowe to Sandra Skender Gordon. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Do you have ---?

MR. MACEY: Yeah. Thank you, Mr. President.

The Public Works Committee met on May the 12th, 2015 and

this ordinance was sent to the full Council with affirmative recommendation. Therefore, I make a motion to approve.

MR. FINNERTY: Second.

PRESIDENT DEFAZIO: Under remarks? Seeing none, we'll have the roll call.

MR. BARKER: Mr. Baker?

MR. BAKER: Aye.

MR. BARKER: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. BARKER: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. BARKER: Mr. Futules?

MR. FUTULES: Yes.

MR. BARKER: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. BARKER: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

MR. BARKER: Mr. Kress?

MR. KRESS: Yes.

MR. BARKER: Mr. Macey?

MR. MACEY: Yes.

MR. BARKER: Mr. Martoni?

DR. MARTONI: Yes.

MR. BARKER: Ms. Means?

MS. MEANS: Yes.

MR. BARKER: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. BARKER: Ms. Rae?

MS. RAE: Yes.

MR. BARKER: Mr. Robinson?

MR. ROBINSON: Aye.

MR. BARKER: President DeFazio?

PRESIDENT DEFAZIO: Yes.

MR. BARKER: Ayes, 14; nays, 0. The bill passes.

PRESIDENT DEFAZIO: 8918-15.

MR. BARKER: An Ordinance authorizing the County of Allegheny to transfer the entirety of Lowries Run/Mt. Nebo Road Loop/Roosevelt Road Extension, County Road Number 1190-02, to Ohio Township. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Representative Macey?

MR. MACEY: Thank you. Likewise, the Public Works Committee met on May the 12th and sent this

ordinance to the full Council with affirmative recommendation. I move for approval.

MR. FINNERTY: Second.

PRESIDENT DEFAZIO: Under remarks? Seeing none, we'll have the roll call.

MR. BARKER: Mr. Baker?

MR. BAKER: Aye.

MR. BARKER: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. BARKER: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. BARKER: Mr. Futules?

MR. FUTULES: Yes.

MR. BARKER: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. BARKER: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

MR. BARKER: Mr. Kress?

MR. KRESS: Yes.

MR. BARKER: Mr. Macey?

MR. MACEY: Yes.

MR. BARKER: Mr. Martoni?

DR. MARTONI: Yes.

MR. BARKER: Ms. Means?

MS. MEANS: Yes.

MR. BARKER: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. BARKER: Ms. Rae?

MS. RAE: Yes.

MR. BARKER: Mr. Robinson?

MR. ROBINSON: Aye.

MR. BARKER: President DeFazio?

PRESIDENT DEFAZIO: Yes.

MR. BARKER: Ayes, 14; nays, 0. The bill passes.

PRESIDENT DEFAZIO: 8949-15.

MR. BARKER: A Resolution of the Council of the County of Allegheny establishing an annual Countywide Cleanup Day and encouraging County residents to volunteer to assist in beautifying the County. Sponsored by Council Members Palmiere, Futules, Macey and Means.

PRESIDENT DEFAZIO: Representative Macey?

MR. MACEY: Thank you, Mr. President. The Public Works Committee met on May 12th and sent this

resolution to the full Council with affirmative recommendation. Thank you. I move for approval.

MR. FINNERTY: Second.

PRESIDENT DEFAZIO: Under remarks? Seeing none, ---.

MR. FUTULES: I have one.

PRESIDENT DEFAZIO: Who has it?

MR. FUTULES: Yeah. What day is it? I mean, it doesn't have a date. What specific date?

MR. PALMIERE: Well, I'm hoping that we would have the third Sunday in June would be the Sunday after Father's Day.

MR. FUTULES: Okay.

MR. KRESS: Hey, Chair, can I be added to the resolution?

MR. BARKER: Yes.

PRESIDENT DEFAZIO: Go ahead. Mr. Ellenbogen? Representative Ellenbogen.

MR. ELLENBOGEN: I'm just curious. When you say beautify the County, are you talking about the parks? Are you talking about the roads? Are you talking about --- I mean, is there something specific in mind or are you just putting it out there to say everybody ---?

MR. PALMIERE: We were thinking about sending you to California for a week. That would help.

MR. ELLENBOGEN: You know you're going to pay for that later.

MR. PAKMIERE: Yeah, I know.

MR. ELLENBOGEN: Well, are you just like saying, hey, you know, like it's turn your whatever day or do you have something planned that's going to cost the County money, is what I'm asking you.

MR. PALMIERE: No. No.

MR. ELLENBOGEN: It's just a feel-good resolution?

MR. PALMIERE: No. The plan is to ask for --- trying to engage the young people and volunteer groups on that day to help in their respective areas, respective parks and so on, to join in a single operation on one day a year to try to clean up the County as best we can.

MR. ELLENBOGEN: That's why I wanted to make sure that when my kids all come to me for money saying, well, we need money so that we can go to Councilman Palmiere's thing to help clean up, I just wanted to be aware of it. Thank you.

PRESIDENT DEFAZIO: Is there any other remarks?
We'll take a vote. Roll call.

MR. BARKER: Mr. Baker?

MR. BAKER: Aye.

MR. BARKER: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. BARKER: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. BARKER: Mr. Futules?

MR. FUTULES: Yes.

MR. BARKER: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. BARKER: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

MR. BARKER: Mr. Kress?

MR. KRESS: Yes.

MR. BARKER: Mr. Macey?

MR. MACEY: Yes.

MR. BARKER: Mr. Martoni?

DR. MARTONI: Yes.

MR. BARKER: Ms. Means?

MS. MEANS: Yes.

MR. BARKER: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. BARKER: Ms. Rae?

MS. RAE: Yes.

MR. BARKER: Mr. Robinson?

MR. ROBINSON: Aye.

MR. BARKER: President DeFazio?

PRESIDENT DEFAZIO: Yes.

MR. BARKER: Ayes 14; nays, 0. The bill passes.

PRESIDENT DEFAZIO: Liaison Report. Anybody?

MR. FINNERTY: Go ahead. You go.

PRESIDENT DEFAZIO: Go ahead. Start with Jan.

MS. RAE: Thank you. I wanted everyone to know that at the airport there's going to be a big celebration because Southwest Airlines is celebrating their 10th year of service here. And tomorrow in the courtyard, Chief Executive Fitzgerald is going to sign --- and they're going to have a huge card there --- he's signing it at 9:35. And then from 10:00 until 2:00, all Council members and everyone is invited to sign it. And then the card is going to be at the airport from May 23rd and I think almost through the 28th. And the big day, the celebration at the airport, is on the 28th of this month. So just so

everyone is aware of that. And that's a wonderful thing for our regional airport here. Thank you.

PRESIDENT DEFAZIO: Representative Means?

MS. MEANS: I just wanted to remind everybody that Monday, May 25th, is Memorial Day. And I wanted to thank all those who have served. And all those families who have lost loved ones who have served so that we could live in this free and wonderful country.

I also wanted to remind people that at the Bethel Park Municipal Building on Memorial Day at 7:50, there'll be a service at the Municipal Building at the Veteran's Memorial. And then there'll be a nine o'clock parade that will begin there and end at Bethel Park Cemetery. Again, all of it is to honor all our veterans and all those --- and remember Memorial Day.

And also, I wanted to make an announcement that on this Friday at the Bethel Park Municipal Community --- I'm sorry, at the Bethel Park Community Center there'll be a blood drive. Thank you.

PRESIDENT DEFAZIO: Any other reports? Go ahead, Representative Finnerty.

MR. FINNERTY: Thank you. Again, I'd like to echo what Councilwoman Means said about Memorial Day coming up. We definitely want to remember our fallen warriors and servicemen in regard to that --- this day. There's a number of events going on. On the 24th, which is Sunday, is Carnegie's Memorial Day Parade which starts at 2:00 p.m. On the 25th, which is Monday, which is Memorial Day, Collier Township has a Memorial Day ceremony up at their municipal building that starts at 8:45.

Also on the 25th, Scott Township has their Memorial Day Parade. It starts at 11:00 a.m. That's just a few of the parades that are going on. Bridgeville, by the way, has a big parade, too, that day, Memorial Day.

Also, at Soldiers and Sailors, Memorial Day, it's called a Memorial Day Celebration there. And it starts at 11:00 a.m. and goes until 4:00. This is a free community event. You have free access to Soldiers and Sailors that day. They have a number of events going on which is the Regiment USCT Drum Corps performance. They have a free patriotic concert that is by the Brass Roots. And there's plenty of events for children, activities, contests, raffles, door prizes, et cetera. So if you get a chance sometime between 11:00 a.m. and 4:00 p.m., stop out at Soldiers and Sailors. It's a big event for

Soldiers and Sailors, and they've been cleaning up and sprucing up everything for this big event. Thank you.

PRESIDENT DEFAZIO: Go ahead, Representative Ellenbogen.

MR. ELLENBOGEN: I just have two things. The first one is, if Councilman Palmiere is going to be raising money to send me to California I would prefer Santa Anita if it's all right with you.

No. I just wanted to make recognition of the fact that Memorial Day is coming and that we had such a low voter turnout. It's great that the people who did show up --- but you know, those of you that didn't show up that hear this, you know, keep in mind the fact that, you know, we're only asking you to go down to your school or your fire house or whatever to go vote. These kids were asked to go and give their lives to give you that right to go do it. So if you keep that in mind, then hopefully, the next election more of you will take that into consideration and do go vote. Thank you.

PRESIDENT DEFAZIO: Seeing no more hands raised, we'll go to New Business, Ordinances and Resolutions. 8957-15.

MR. BARKER: An Ordinance authorizing the County of Allegheny to acquire by condemnation a certain permanent bridge structure access easement and temporary construction easement required to reconstruct the South Tenth Street (Philip Murray) Bridge, Phase 2, carrying South Tenth Street over the Monongahela River in the 1st and 17th Wards of the City of Pittsburgh, (MA11-3511), and to take such further action as may be necessary under the applicable law, including the Pennsylvania Eminent Domain Code. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: We'll put that in the Committee of Public Works. Let's see, 8958-15.

MR. BARKER: An Ordinance of the County of Allegheny County, Commonwealth of Pennsylvania, authorizing the continued use of the County's South Park BMX Track facilities owned by the County and to be operated and maintained by South Park BMX, Incorporated. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That'll go the Committee on Parks. 8959-15.

MR. BARKER: An Ordinance of the County of Allegheny County, Commonwealth of Pennsylvania, authorizing the purchase of real property needed to extend

Harrison Hills Park and for the purpose of eventually connecting the Butler Freeport Trail and Baker Trail to Harrison Hills Park and the Rachel Carson Trail. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That'll go the Committee on Parks. Next we have New Business-Motion.

MR. MACEY: Point of personal privilege?

PRESIDENT DEFAZIO: What's your point?

MR. MACEY: My point is I'd like to address a situation and respond to a decision as it relates the ACE Commission Report rendered ten business days ago.

Although I don't agree with the decision of the Commission's interpretation of the standards, I would normally fight this decision to the Court of Common Pleas and I believe I would be victorious and would continue to serve people in the Mon Valley working two part-time public service jobs.

However, to drag this out any further and to eliminate any further scrutiny of County Council or any other agency I may be affiliated with would be difficult for me, my family, friends, constituents and my colleagues. I will continue to work hard for people in the Mon Valley, and I will continue serving with various organizations and seek positive changes in the region I grew up in and spent over 66 years of my life.

It has been great working with everybody in various levels of government. My decision does not come lightly, and I believe we need to get back to the business of County Council and not be distracted by things out side of our immediate control.

Therefore, I am resigning effective today the Office of Constituent Services Representative for the Pennsylvania State Senate. The Solicitor has a copy of my resignation letter. So does the Council Manager. And that's my decision. I'm going to continue to serve with great fervor the people in the Mon Valley and the 14 communities and 96,000 people that need our help. Thank you.

PRESIDENT DEFAZIO: Thank you. Actually, then, 8930-15, at this point, is moot anyway. So I would move on from there to 896 ---.

MS. MEANS: Point ---.

PRESIDENT DEFAZIO: Go ahead.

MS. MEANS: Point of Privilege. I would like

--- I'm not so sure it is moot. I mean, it may be. I was wondering if maybe the Solicitor or someone could comment on this.

PRESIDENT DEFAZIO: Wait. Ask me that.

MS. MEANS: Oh, I'm sorry. Yeah. County, is that okay if someone would ---?

PRESIDENT DEFAZIO: Rather than me answer, we will go ---. Go ahead. Do you want to answer that?

MR. SZEFI: In the light of the fact that the Ace decision speaks to Representative Macey's or County Council Macey's employment as being one of the options. Obviously, there was --- he would resign his position or face possible removal from this Board. Tonight's action, by removing himself, --- and I have a copy of the letter. It's dated May 20th. It says, Dear Senator Brewster, please accept this letter of resignation from my position as Constituent Service representative of the Pennsylvania Senate. I have enjoyed serving the constituents over the last 18 months.

I wish you and your office well. Thank you for the opportunity to serve the people of the 45th District.

Best regards, Robert Macey.

I believe in light of that, this motion as it currently stands is moot.

PRESIDENT DEFAZIO: Go ahead.

MS. HEIDELBAUGH: Yes, I would --- I would like to proffer this comment to the body. There are allegations in this motion that Mr. Macey, our colleague, has served in violation of the County Charter for in excess of a year. So if this body chose to vote a censure motion for that behavior, this body would have the right to do so.

PRESIDENT DEFAZIO: Well, Heather, I could disagree with you, but rather than do that, at this point, I'll again ask our Parliamentarian/Solicitor, I feel that this --- even if he didn't resign, there are certain things we can't do with this issue. So you heard what she said. What would your position be?

MR. SZEFI: I mean, as this motion current stands --- and obviously, Representative Heidelbaugh raises other issues. As it currently stands, as I said, I believe it is moot because of the fact that he resigned his position. And that's what's --- specifically, if you read this motion, it talks about him complying with the

terms of the ACE Decision which this essentially does because he's resigned his position.

MS. HEIDELBAUGH: Well, may I comment, please?

PRESIDENT DEFAZIO: You could comment, Heather, but I mean, make it brief because really, after what I have to say on it and then he more or less backed it up, I mean, there's no more we can do with it, but go ahead.

MS. HEIDELBAUGH: I disagree with your holding.

PRESIDENT DEFAZIO: That's fine.

MS. HEIDELBAUGH: And I would ask for a motion to overrule the Chair if you're going to render this moot because we've had a situation here in the Council in which we had a member in clear violation of the Charter who has been appointed to commissions, who has served --- who has voted on various issues, who has received a salary. And we also have a situation that I want to address which is there was a ruling by our Solicitor --- and representing him as a lawyer, which I think was a clear conflict of interest. And that all should be referred to Committee. It should be discussed as all other bills are, and then it can be voted up or down. And then it can be --- proceed as it would. But to take this out, it makes this body look even worse than it already does.

PRESIDENT DEFAZIO: Well, that's your opinion.

MS. HEIDELBAUGH: Well, I think that's an opinion ---.

PRESIDENT DEFAZIO: No. No. We're going ---.

MS. HEIDELBAUGH: That's an opinion that many others would share.

PRESIDENT DEFAZIO: Okay. That's your opinion for now. You made a --- do you want to make a motion to appeal ---?

MS. HEIDELBAUGH: Well, everything you say is your opinion.

PRESIDENT DEFAZIO: No, but we get to vote on it and the majority ruled. But actually, if you read the rules after we do ---.

MS. HEIDELBAUGH: I do read the rules.

PRESIDENT DEFAZIO: After we debate things and I make a decision, that's it. And it is. But you said you appeal the decision of the Chair.

MS. HEIDELBAUGH: Yes.

PRESIDENT DEFAZIO: So there. Do we have a second to that?

MR. ROBINSON: Second.

PRESIDENT DEFAZIO: Second. Now, under remarks, Mr. Ellenbogen, Representative Ellenbogen?

MR. ELLENBOGEN: I have the recommendation in front of me. I mean, it clearly says that further said censure should require that Mr. Macey resign his position with the Pennsylvania General Assembly within ten days or failing said resignation, he will deem to have forfeited his office. To my understanding of this, they're not saying anything other than Mr. Macey, do this or do this. And he made a choice to resign his office which, in my opinion --- I mean, I'm not an attorney and I'm not going to profess to be one, but I don't consider myself of a idiot, either. I mean, it says do one thing or the other. And you know, he seems to --- in my estimation, had they have said you should go further, had they have said, this should be taken to whatever, but they're clear, very clear, in saying do one thing or the other. And it seems to me he's complied with one or the other. Thank you.

PRESIDENT DEFAZIO: John. Representative ---?

MR. MACEY: Thank you, Mr. President and fellow colleagues. There was a decision that was rendered by the ACE Commission. I complied with their decision, or should I say recommendation. I'm just trying to be a good public servant and save us any more problems or any other concerns. So I resigned one of those jobs as was recommended. It was recommended. I don't know how many times I have to say that. It didn't say I had to. There was --- and I got to admit, there was no stenographer at any of these hearings I had with the ACE Commission. So it's, there again, their opinion. Had there been a stenographer and we had minutes of those meetings, maybe had something to argue with. But I'm complying with the recommendations. I don't see why we have to continue to rake me through the coals over this.

Remember, it was under appeal, so while it was under appeal, there was no actions taken.

PRESIDENT DEFAZIO: We're going now ---. Wait a minute. Who was next down there? Mike?

MR. FINNERTY: Yeah. Thank you for recognizing me. I look at this and it is a recommendation. And since it is a recommendation, actually, it could be appealed again. It's a recommendation. It's not saying that you have to do this. It's recommending you do this. And I'm sure that as a citizen, any United States citizen, for that matter, that you have a right to appeal. And I'm

sure that there's probably something like 30 days or ten days. An appeal is usually 30 days, but that could be. So one of the things I'd like to say, this is premature. That's number one. It's premature. We have already seen that Councilman Macey has made a decision in regard to this, and that's fine. But still, this move to censure was premature anyhow because it could have been appealed again. So it's premature to censure somebody when they can appeal. That's my feeling. Thank you.

PRESIDENT DEFAZIO: Representative Amanda Green Hawkins.

MS. GREEN HAWKINS: Thank you, Mr. President. I just need clarification. I heard a motion and a second. I wanted to know what the motion was on.

PRESIDENT DEFAZIO: The motion ---.

MS. GREEN HAWKINS: I'm not real clear ---.

MR. BARKER: To overrule the Chair.

MS. GREEN HAWKINS: Okay. So should the discussion be limited to that ---

MR. BARKER: Over ---.

MS. MEANS: Correct.

MS. GREEN HAWKINS: --- to the merits of the motion ---

MS. MEANS: Correct.

MS. GREEN HAWKINS: --- itself?

PRESIDENT DEFAZIO: It should be.

MR. BARKER: Correct.

MS. GREEN HAWKINS: Okay. Following Robert's Rules of Order which is what we do; correct?

PRESIDENT DEFAZIO: Supposed to do, yeah.

MS. GREEN HAWKINS: Okay. Thank you.

MS. HEIDELBAUGH: May I speak?

PRESIDENT DEFAZIO: Wait. Anybody else?

MS. MEANS: Yeah.

PRESIDENT DEFAZIO: Go ahead. Let her speak.

MS. MEANS: Well, again, Councilwoman Green Hawkins, you're correct. The motion on the floor is whether we overrule the ruling of the Chair. And to clarify, the Chair has stated that my motion to censure, since I'm the primary sponsor of this motion to censure Mr. Macey, is mute (sic). So that should be the discussion, as whether or not it is mute or not.

PRESIDENT DEFAZIO: Moot.

MS. MEANS: And as I am the primary sponsor of this bill, I would prefer that this bill, motion went to

Government Review so we had time to think about it, where this is kind of quick. We don't have time to think it through, think all the aspects through. And so I would appreciate it if --- but that's my point. And again, I know I went off the mark of discussing whether or not it's mute or not. I don't think it's mute because there's a lot more in this motion, other points that have come to light that will --- that are not being addressed by the fact that Mr. Macey has resigned his job.

PRESIDENT DEFAZIO: Representative Heidelbaugh?

MS. HEIDELBAUGH: Yes. Here's why the censure motion is not moot (pronouncing).

MS. MEANS: Okay. I miss --- I'm sorry.

MS. HEIDELBAUGH: That's okay. I'm just ---.

MS. MEANS: Archie Bunker again.

MS. HEIDELBAUGH: I'm just trying to help you out here. It's a legal term.

MS. MEANS: Okay.

MS. HEIDELBAUGH: So the Commission report states based upon the above findings and conclusions, the ACE Commission makes the following recommendations pursuant to Section 105.07 of the Ethics Code. A censure be issued by Allegheny County Council to Respondent Robert Macey indicating that he is in violation of the Accountability, Conduct and Ethics Code of Allegheny County as a result of his being employed by the Pennsylvania General Assembly to serve on the personal staff of Senator Jim Brewster while at the same time serving as a member Allegheny County Council.

There is a second portion to that which may or may not be moot. But if we don't have a censure motion, we, the Council, will be in violation of what the ACE Commission asked us to do. And that's what the first part of my colleague's motion, 8960-15, says. It says Now, Therefore, is moved by the Council of Allegheny County, that Council member Robert Macey is hereby censured by Allegheny County Council for his prior and continuing employment with Pennsylvania State Senator Brewster while seated as a member of County conduct --- Council, and while his conduct during the investigation into such, and his conduct during the investigation during such employment which we have not discussed and which is not moot.

So the advice of Counsel, the Solicitor, which is not binding, is actually in error. The ruling of the

Chair of this Council is actually in error. And that's why I am asking both of them be overruled.

PRESIDENT DEFAZIO: Let's take the ---.

MR. FINNERTY: No, wait.

MR. SZEFI: Yeah. I mean, my response is this. The way that the motion is stated addresses both the sanction --- it actually --- but it addresses the options at the final part of the Ethics Commission decision, which is that --- I have it here --- which references that further censure shall require Mr. Macey to resign his position with the Pennsylvania General Assembly within ten days or failing said resignation, he will be deemed to have forfeited his office as a member of County Council.

So having received his resignation, I believe that that mooted that because this motion references that part of the ACE decision.

If I may add to that, our rules under the Administrative Code with respect to decisions from the ACE Commission are clear that the final decision is the recommendation to this body. It is also subject to an appeal which is 30 days from the decision to the Court of Common Pleas.

PRESIDENT DEFAZIO: Hold it. Heather, first of all, you guys got to address me. Look, when you appeal the decision of the Chair, we're not supposed to be up here fighting back and forth. You have to take a position. Am I right in what I said or am I wrong? That's ---.

MS. HEIDELBAUGH: You're wrong.

PRESIDENT DEFAZIO: Well, that's your opinion. You're always wrong. I haven't seen you right yet.

MR. FINNERTY: Are we voting?

PRESIDENT DEFAZIO: Okay.

MS. MEANS: Uncalled for, really.

PRESIDENT DEFAZIO: Look, we have to vote. Am I correct in saying what I said?

MS. HEIDELBAUGH: You're also wrong in disparaging another member of Council.

PRESIDENT DEFAZIO: Look, first of all, ---.

MS. HEIDELBAUGH: When I said you were wrong on this issue ---

PRESIDENT DEFAZIO: You don't recognize the Chair, Heather.

MS. HEIDELBAUGH: When I said you were wrong on this issue I did not disparage you. What you just said was I was always wrong.

PRESIDENT DEFAZIO: Yeah.

MS. HEIDELBAUGH: And that's disparaging me as a member of Council which is against ---

PRESIDENT DEFAZIO: Heather ---.

MS. HEIDELBAUGH: --- Council's rules.

PRESIDENT DEFAZIO: Heather ---.

MS. HEIDELBAUGH: You are to treat me with ---

PRESIDENT DEFAZIO: Heather.

MS. HEIDELBAUGH: --- respect.

PRESIDENT DEFAZIO: Let's be nice about this.

As the Chair, I make the final decision; okay? If you don't like it, you did the right thing this time, you made a motion to appeal the decision of the Chair. That's what we're working on. Okay?

MS. HEIDELBAUGH: Yes.

PRESIDENT DEFAZIO: I make all the final decisions, but if you people here feel I'm wrong, you have a right to appeal.

MS. HEIDELBAUGH: That's what we're doing.

PRESIDENT DEFAZIO: That's what we're supposed to be doing, but we're fighting here back and forth. Last comment. Go ahead.

MR. ELLENBOGEN: I just have something relevant to this whole thing that pre-dates some of the members that called this in question. Now, when I ran for office in 2007 --- and everyone knows I'm the Enforcement Chief for the Pennsylvania Department of Revenue. There was a decision in the thing that because I worked for any form of government, I was not allowed to serve as a member of Council. They challenged me in Court, in Common Pleas Court. Judge James overruled them and said I can. It was appealed to Commonwealth Court. Judge Simpson said that I am not in violation, that this rule is in violation and that I am able to serve.

Now, I bring this to light to the other members that are newer because the ACE's decision is rooted in the fact that this bill or this law is valid. This law is what came out of, actually, me, my situation. So my question is, you know, I don't even know --- because Council like put and I'm, you know, --- some of you were here. I mean, let's face it. You know, personally, I always felt that this thing was to try to stop me from

serving, and even though I defeated your --- the candidate that they had put out. But that being said, this was put together that, okay, well, then if he can serve, then we'll just put this in line. So my question is, I don't even know. If this was appealed to Common Pleas and Commonwealth Court, if they would say, you know what? Ellenbogen's rule was not right and this isn't right either. That's my point. My point is that they rendered a decision on this bill. I don't even know if this is even legal after what happened to me and that's what I'm trying to bring to everyone's attention before you decide to overrule the Chair. Thank you for your time.

PRESIDENT DEFAZIO: Representative Finnerty.

MR. FINNERTY: Thank you very much. I believe that we have a motion on the floor and we have a second. And the motion on the floor, if I'm wrong, please stop me, is to overrule the Chair. Now, if I vote and I vote yes, that means I want to overrule the Chair. If I vote no, that means I don't want to overrule the Chair. All right? So my vote is a no. So whenever we vote, I'm telling you I'm voting no so ---.

PRESIDENT DEFAZIO: Okay. Let me say one thing. You do have the rules in front of you, if you want to look at them. When you appeal the decision of the Chair, we're not suppose to be up here fighting back and forth. You either vote me down that I made the wrong decision or you vote the other way.

MR. FUTULES: Let's take a vote.

PRESIDENT DEFAZIO: So really and truthfully we're supposed to take the vote. We're not supposed to debate this thing back and forth. Now, do you want to look it up?

MR. FUTULES: Yep.

MR. BAKER: Point of inquiry. Is that okay?

PRESIDENT DEFAZIO: Go ahead.

MR. BAKER: So if --- my question is, Mr. President, if we want to vote ---if we believe that this should be voted on to overrule the Chair, but we have no interest in actually voting to censure Mr. Macey, we would vote yes to this part, then no to the actual bill; right?

PRESIDENT DEFAZIO: All you're doing if you --- Heather put a motion on the floor. She wants to overrule my decision. I said it was a moot issue. Okay? The only thing you're voting on is it moot or isn't it? And the Solicitor also said, in his opinion, it's a moot issue.

So now we have to vote, one way or the other. And we're not supposed to be debating this back and forth, back and forth. So why don't we ---?

MR. BAKER: Vote.

MR. FINNERTY: Let's vote.

PRESIDENT DEFAZIO: No.

MS. GREEN HAWKINS: So you've cut off debate?

PRESIDENT DEFAZIO: no, you don't have to cut off debate.

MR. FINNERTY: There shouldn't even be ---.

PRESIDENT DEFAZIO: There's no debate, so you can't cut off debate. What?

MS. GREEN HAWKINS: Well, Mr. President, I think the problem is that you treaded into waters that allowed debate, and to unilaterally to say that you're going to cut off debate probably requires a motion or else ---

MS. MEANS: Correct.

MS. GREEN HAWKINS: --- you're just unilaterally just cutting off debate.

PRESIDENT DEFAZIO: We're not supposed to have the debate.

MS. GREEN HAWKINS: I asked that question about 20 minutes ago.

PRESIDENT DEFAZIO: Somebody called me on it. Somebody called me on it. You did.

MR. FINNERTY: No.

PRESIDENT DEFAZIO: She did.

MR. FINNERTY: The first person that called you on it ---.

PRESIDENT DEFAZIO: We kept it up, but then you said do we have to vote on the --- on the ---.

MR. FINNERTY: I just wanted to clarify what's going on. That's all. So I wanted to do it because it was getting very, very ---.

MR. SZEFI: If I may interrupt before we go much further here? So under Robert's Rules of Order, an appeal from the Chair is non-debatable.

PRESIDENT DEFAZIO: What did I tell you?

MR. SZEFI: And it's non-amendable, either. And a majority is required to reverse the Chair's decision.

PRESIDENT DEFAZIO: Right. I tried to say that a long time ago, but ---.

MR. SZEFI: Sorry.

PRESIDENT DEFAZIO: That's okay. So let's take the vote.

MR. SZEFI: The print is very small.

PRESIDENT DEFAZIO: Say what the vote is.

MR. BARKER: On Ms. Heidelberg's motion to overrule the Chair, and in keeping with Mr. Finnerty's suggestion, a yes is a vote to overrule the Chair. A no is vote to leave the Chair's ruling stand.

MR. BARKER: Mr. Baker?

MS. MEANS: Wait. Can you wait? Sorry. It's still not clear. I don't think it's clear.

PRESIDENT DEFAZIO: Do you want to question what we're voting on?

MS. MEANS: I just want to clarify --- clarify --- may I clarify, Mr. President, what it means?

PRESIDENT DEFAZIO: Listen to what I'm going to tell you first.

MS. MEANS: Yeah.

PRESIDENT DEFAZIO: This is really not debatable. Now, if you want to ask a question how to vote yes or no, what it means, go ahead.

MS. MEANS: Correct.

PRESIDENT DEFAZIO: But as far as this other stuff, we can't do it.

MS. MEANS: Correct. Correct. Okay. Thank you. So a yes vote means you overturn the President's ruling?

MR. BARKER: Correct.

MS. MEANS: And a yes vote means that the motion still stands and that it can be sent to Committee or moted (sic) --- the motion to censure Mr. Macey still exists if there's a yes vote and it passes. So a motion to not overrule the Chairman means that if --- I'm going to mispronounce it again, Archie Bunker, it's mute --- moot, so therefore, the motion to censure disappears. It's no longer is on the agenda. So a yes vote means the motion stands and stays on the agenda, then it's dealt with as it stands. A no vote means the motion disappears from the agenda.

MR. BARKER: Correct.

MS. MEANS: Thank you very much, Mr. President. Thank you.

PRESIDENT DEFAZIO: All right. Let's take the vote.

MR. BARKER: Mr. Baker?

MR. BAKER: Just yes to this part. Yes.

MR. BARKER: Mr. Ellenbogen?

MR. ELLENBOGEN: No.
MR. BARKER: Mr. Finnerty?
MR. FINNERTY: No.
MR. BARKER: Mr. Futules?
MR. FUTULES: No.
MR. BARKER: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. BARKER: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Yes.
MR. BARKER: Mr. Kress?
MR. KRESS: No.
MR. BARKER: Mr. Macey?
MR. MACEY: No.
MR. BARKER: Mr. Martoni?
DR. MARTONI: No.
MR. BARKER: Ms. Means?
MS. MEANS: Yes.
MR. BARKER: Mr. Palmiere?
MR. PALMIERE: No.
MR. BARKER: Ms. Rae?
MS. RAE: No.
MR. BARKER: Mr. Robinson?
MR. ROBINSON: Aye.
MR. BARKER: President DeFazio?

PRESIDENT DEFAZIO: No.

MR. BARKER: Ayes, five; nays, 9. The motion to overrule fails.

MS. HEIDELBAUGH: Point of order.

PRESIDENT DEFAZIO: What's your point?

MS. HEIDELBAUGH: I'd like to know what Robert's Rule of Order allows a moot bill to disappear from the agenda.

PRESIDENT DEFAZIO: You asking me? I'll ask the Solicitor. He's looking at the book because he has it.

MR. SZEFI: I believe that the Chair --- what the Chair said was they were going to pass over the motion; isn't that ---? That was my understanding.

PRESIDENT DEFAZIO: I said that because it has no bearing. He did --- he's not saying he's wrong, but he says he's complying with what Dave said. He just wants to get it off the books.

MS. HEIDELBAUGH: That's not my question, Mr. Chairman. My question is what power to you have, pursuant to Robert's Rules of Order, to pass over a legitimate item on the agenda?

PRESIDENT DEFAZIO: Me? I make all final rulings and decisions, and the only way you can change that is you have to appeal the decision of the Chair, which you tried. Well, I'm just telling you the rules.

MS. HEIDELBAUGH: You don't have that power.

PRESIDENT DEFAZIO: Yes, I do.

MS. HEIDELBAUGH: You don't have the power to cancel this meeting right now.

PRESIDENT DEFAZIO: If you look at our rules, it says when we debate issues and I make a ruling and I say that's it, stop the debate because of this or that or I make a ruling, the only thing you could do is appeal my decision.

MS. HEIDELBAUGH: Are you saying you have the power to change my vote?

PRESIDENT DEFAZIO: Look ---. No, I don't have ---.

MS. HEIDELBAUGH: Do you have the power to stop this meeting?

PRESIDENT DEFAZIO: We're not --- look, Heather, you're out of order. I'll tell you that right now. I don't want to be fighting with people. I told you the rules. If you want to ask him another question ---.

MS. HEIDELBAUGH: I challenge the ruling of the Chair ---

PRESIDENT DEFAZIO: You did.

MS. HEIDELBAUGH: --- based on ---. No, this a different issue. You said you had the power to not touch this item on the agenda because it was moot. I asked you for the power pursuant to what rule and you have no rule. You made it up.

PRESIDENT DEFAZIO: No, I didn't make the rule up. Heather, I know the rules. And I sure know them better than you. If you look at the rules in the book, all final decisions --- someone has to make a decision on when you're fighting up here on things. The President or Chair makes the final decision. You have an appeal. If you don't like that decision, you appeal the decision of the Chair, which you did. Okay? Now, what more do you want other than to just fighting with me?

MS. HEIDELBAUGH: I want you to stop making up rules.

PRESIDENT DEFAZIO: I didn't make it up. If we get the book --- I don't have mine with me --- I could look it up and show you.

MS. HEIDELBAUGH: You said you know the rules.

PRESIDENT DEFAZIO: I know the rules.
Definitely know the rules.

MS. HEIDELBAUGH: What rule ---?

MR. FINNERTY: Excuse me. Point of order,
please. I believe that we have voted on this and there
was appeal made to the Chair --- to overrule the Chair.
We had a second. And we have voted on it. And the vote
was 5, yes and 9, no. It failed. Let's move on.

PRESIDENT DEFAZIO: Okay. You're correct.

MR. FINNERTY: That failed. It's done.

PRESIDENT DEFAZIO: Right. Okay. Notification
of contract.

MS. MEANS: Point of order.

PRESIDENT DEFAZIO: What's your point?

MS. MEANS: I believe that Mr. Macey should not
have voted on this motion. I know it doesn't change the
vote, but since the motion concerned him, I don't think it
was proper and maybe we could ask the Solicitor that he
should have abstained from the vote. That's all. I
wanted to make that point.

PRESIDENT DEFAZIO: I asked him ---. Go ahead.

MR. SZEFI: Well, what he voted on was
overruling the Chair.

MS. MEANS: Oh.

MR. SZEFI: Not the actual main motion. I think
that it would be an issue if he voted on the main motion.

MS. MEANS: Okay. Thank you.

MR. SZEFI: Okay?

PRESIDENT DEFAZIO: Thank you. Notification of
Contracts.

MR. BAKER: We have none.

PRESIDENT DEFAZIO: None? Public Comment on
General Items.

MS. HEIDELBAUGH: You missed a bill, 8961-15.

PRESIDENT DEFAZIO: Oh, I'm sorry.

MR. FINNERTY: Point of order, please, ---

PRESIDENT DEFAZIO: Yes.

MR. FINNERTY: --- in regard to that bill. I
think this is the third or it may be the fourth time this
bill has showed up. It was disposed of before. And to
keep bringing it up, I think, is something that really is
--- shouldn't --- I think it's against our rules to
continue to put the same thing on. We have many, many

bills that are in committee that could be brought up the way.

MS. HEIDELBAUGH: True.

MR. FINNERTY: We could go page and page and every week we could do this, but we don't. You can do it once and even twice. But this is getting ridiculous.

MS. HEIDELBAUGH: Point of order.

MR. FINNERTY: And ---.

PRESIDENT DEFAZIO: What's your point?

MR. FINNERTY: Excuse me. I think I have the floor.

PRESIDENT DEFAZIO: Not, but on the point of order, let's hear what her point is. What's your point?

MS. HEIDELBAUGH: Oh, I apologize.

PRESIDENT DEFAZIO: Okay. Go ahead.

MR. FINNERTY: What I would like to do is to prevent things like this from happening, which is nothing but somebody like --- you know, it's like when you have a scab and you keep picking it, it never heals. And it seems like that what's we're looking at here. What I would like to do --- what I would like to do is introduce a motion of the Council of Allegheny County in regard to doing this type of thing and exactly what can be put on the agenda in regard to this. I have the motion here. And we can pass it out.

MS. HEIDELBAUGH: This is out of order.

PRESIDENT DEFAZIO: Heather. Heather.

MS. HEIDELBAUGH: This is out of order.

PRESIDENT DEFAZIO: Heather, you don't have the floor. He does. And you have to get the floor from me.

MS. HEIDELBAUGH: You just called up the motion. And he's introducing another motion.

PRESIDENT DEFAZIO: He can do it. We've done it a million times here.

MR. FINNERTY: I beg your pardon. Mr. DeFazio never called this up. You called it up. If you stop ---.

MS. HEIDELBAUGH: Because he ---.

MR. FINNERTY: Well, there you go.

PRESIDENT DEFAZIO: Hold it. Okay.

MR. FINNERTY: The President didn't do it.

PRESIDENT DEFAZIO: Refer everything directly to me, both of you.

MR. FINNERTY: That's all I'm saying. It wasn't done by the President of Council.

MS. HEIDELBAUGH: A point of order. This is ---.

PRESIDENT DEFAZIO: What's your point?

MS. HEIDELBAUGH: My point is that the next item on the agenda is 8961-15, which you skipped over. And now you're introducing a new motion which is improper.

PRESIDENT DEFAZIO: Well, in the past, we've brought up things like if you have a motion to bring up, he could --- it if he passes it out. Now, we could do one of two things. You could wait a minute, Mike, if you want, and we'll go over this first, then that; if that's okay? Or do you want to go the other way?

MR. FINNERTY: No. I don't want to go over that again. I want to go to the motion that I put on the floor, and I'd like to give everybody a second to take a look at it. Then I'll explain exactly what it is, and I'm looking a motion to approve and a second, and to go on. Okay? So if you had a chance to look at it then I'll explain. But I don't --- I think I have that choice as the person putting the motion up. If you want to ask questions after I finish explaining it, I'll gladly answer your questions.

PRESIDENT DEFAZIO: Go ahead, Representative Means.

MS. MEANS: Thank you for recognizing me. I think according to Robert's Rules of Order that we have to deal with 8961-15 before we go to Mr. Finnerty's. I mean, to me it would just take a few minutes to vote on this, up or down. And then we can move to his motion. Plus, I think, this motion is very dangerous because ---.

MR. SZEFI: I think if I --- I'm sorry. If I could just address this issue, there was no first or second. No one made the motion or seconded it on the motion you just referenced.

PRESIDENT DEFAZIO: Right.

MR. SZEFI: Or this one, for that matter.

MS. MEANS: It was on the agenda.

MR. SZEFI: It's on the agenda, I know, but ---.

PRESIDENT DEFAZIO: We've always ---.

MR. SZEFI: But it's not been placed on the floor for consideration.

MS. HEIDELBAUGH: I move it.

MS. MEANS: I'll second it.

PRESIDENT DEFAZIO: Well, we already ---.

MS. MEANS: The point --- may I finish? If this --- I don't --- this is something that should go to Government Reform. This is huge. We should have this --- discuss this. It shouldn't be a motion thrown at us. We need to think this very carefully on what things are put on the agenda and not put on the agenda. This is heavy-handed. This is ---.

PRESIDENT DEFAZIO: Okay.

MS. MEANS: This is a heavy-handed movement, and it's quick. And we are not given time to fully consider this at all.

MR. FINNERTY: What do you ---?

MS. MEANS: And regarding Heather's point, she should be allowed to bring things up --- over, because as time progresses she may gain more sponsors. This isn't a scab on an arm. Thank you.

PRESIDENT DEFAZIO: Okay.

MS. MEAN: I'm a nurse. I know what a scab looks like.

PRESIDENT DEFAZIO: Okay. Hopefully, we won't need you tonight if it keeps up like this, but ---.

MR. FINNERTY: If I could answer that, ---

PRESIDENT DEFAZIO: Go ahead.

MR. FINNERTY: --- since I guess it was meant for me. I don't think it's heavy-handed at all. What's heavy-handed is somebody to continue --- continue to put something on our agenda which has been voted down a number of times. The last time it was on this agenda it was never even voted on. It was said, you know, that --- point of order, this shouldn't be here because it was already taken care of. And what I'm saying is a lot of times when we bring --- when something is in Committee it's not up here. It's in Committee. And if it's in Committee there is no reason for it to come up here and get a big, I don't know, paragraph or so about what it is. We could easily just have it in your packet. To continue to bring it up when it's been defeated so many times, it's just harassment, as far as I'm concerned. It's not something that's good government. It definitely isn't good government. And if we --- if you look at the motion I'm putting up, and I was --- hopefully I could explain it before you started cutting into it. I think it's extremely important that if somebody puts a motion up or anything, that the first thing that happens is they get to explain what they're doing and why they're doing it. Then

the debate happens. Not jump into it. But that's why I set it up and gave it to you so you could look it over before I even said a word about it. All right?

So what I'd like to do is just talk about it and tell you what I'm trying to do and why I'm doing it.

MR. ELLENBOGEN: Point of order.

PRESIDENT DEFAZIO: What's your point?

MR. ELLENBOGEN: Mr. President, you know, to me, there's a lot of politics going up here. For every action, there's a reaction. We pay a law firm a lot of money to represent what's legal here. Now, in my estimation, why don't we just let our legal arm of this Council decide whether this is legal or it's not legal and go from there? It just seems to me that we're just going back and forth and everybody has an opinion and we have a lot of attorneys up here also. But we pay a lot of money to a Solicitor. Let him make the decision whether it's legal or not. Thank you.

PRESIDENT DEFAZIO: Okay. Sue, to answer you and let me answer you. What you said might be the right thing to do, but as of last meeting we put two of these in. We do it all the time. We're under New Business. People put these motions up. Maybe there should be a ruling you can't do it that way, but we've always done it for years like this. Okay? This is not new. Yeah?

MS. MEANS: Thank you for recognizing me, Mr. President. But this has to do with the rules of Council. It's not like a motion that says let's support the postmen. It's not a motion that says we want to oppose Senate Bill 4. This is what is going to govern what things are placed on the agenda. And that, as a minority party person, frightens me. Thank you.

PRESIDENT DEFAZIO: Okay. Here's the thing, though. We all have to make a decision. And Mike wants to explain everything and let everybody read it, but at the end of the day here, when you vote, if you don't think it's right, then they'll vote maybe the way you think or they have a right to vote the way he's said it. And that's the way it goes. Wait a minute. Amanda, then you.

MS. GREEN HAWKINS: Thank you, Mr. President. I wasn't clear if Mr. Finnerty had finished describing his bill.

MR. FINNERTY: I've never described it yet. I've never been able to.

MS. GREEN HAWKINS: Okay. So I'll wait. Thank you.

MR. FUTULES: I'll second Mr. Finnerty's motion.

MR. FINNERTY: Yeah.

PRESIDENT DEFAZIO: Okay. Go ahead, Mike.

MR. FINNERTY: Okay. What I'm doing here is saying that if something is in committee, this bill is in committee and has not been released from committee, that it should not be put on the --- put up the table and shown exactly what it is on our agenda. Instead, what should be on the agenda is the number of the bill that's trying to be waived and the date or whatever period, how many days, it's been in committee. So it's not on the agenda as a paragraph describing it, but at the same time, you could have the bill in your packet. That's what I'm saying. And that's --- a lot of times what we've done in the past is when something isn't on the agenda like this and somebody makes a motion to pull like 8851 from Committee and it's seconded, well, we got to vote on it. There's no discussion on it, and there is no description of it at the time. So what I'm saying is that, that's fine. You can put those bills up as many times as you want. But the description of the bill shouldn't be on our agenda. It should be in our packet. That's what this is all about. And that's what it's saying. That, you know, a couple of the last whereases, if you look at them, and the last line, the Roman numeral IV, that's what it's saying. No description or delineation of the content of the bill to be put shall be included in the motion to put or discuss prior to the passage of such motion. And that's what it's saying.

PRESIDENT DEFAZIO: Okay. Let's start with Amanda, then you, then you. Go ahead.

MS. GREEN HAWKINS: Thank you, Mr. President. What has been described and what I see in front of me makes me a little nervous. As an attorney and as someone who interned with a federal court judge and clerked personally for a state court judge and also I'm familiar and have the mentorship of someone who's on the highest state supreme court in Massachusetts and another judge, I understand that notice to the public is important. So to have the number of the bill, but then to have the bill available to us in our packet doesn't mean much to you, the public. Because we're serving you, so you need to know what we're talking about. You need to know what

we've voting on. You need to be able to pull the bill and read what we're doing. And if we just have a number there and you're just here at the meeting and you hear a number, you may not know what we're talking about unless you're there with your phone perhaps and pulling up something on Legistar, if Legistar is available to you at the time. It just gets a little murky, and I'm just concerned that not enough information is being provided to the public, which is who we're here to serve. This is not about us Council members.

And I understand, you know, wasting time and all of that, but this is what we're here for, whether we're here for 20 minutes or whether we're here for 20 hours. We're here for the public. And so if the description can be read so that a hearing-impaired person --- I'm sorry, so that someone who is visually impaired can hear what we're talking about, then great. They're on notice as to what's going on. If someone who doesn't --- who can hear, can read it, then great, they'll know what we're talking about. This is about the public. And I'm just really concerned that there would not be enough notice of what we're talking about, and that's what we have to keep in mind here.

And for that reason, I can not support this motion. Thank you.

PRESIDENT DEFAZIO: Representative Heidelbaugh?

MS. HEIDELBAUGH: Thank you. The motions that I have recently put on the agenda are motions to pull the bill from the Committee. There's no discussion about the merits of the bill, just to get it out of the committee because the 90-day rule is violated. There's a rule that says you have to vote on bills within 90 days. I have introduced a bill to freeze property taxes for the poor for four years. Never once have we talked about it, but every single alternative Tuesday we spend up to an hour giving people resolutions. I'm not wasting anyone's time. I want to talk about the poor, and I can't have my bill heard.

MR. FINNERTY: That's out of order.

MS. HEIDELBAUGH: Of course it is, Mr. Finnerty.

MR. FINNERTY: Of course it is.

MS. HEIDELBAUGH: Because I'm talking about something important.

MR. FINNERTY: Of course it's out of order.

PRESIDENT DEFAZIO: Okay.

MS. HEIDELBAUGH: And so I have --- I have on the agenda today a motion to pull, which is a simple up or down vote.

PRESIDENT DEFAZIO: We're not on ---. We're not ---.

MS. HEIDELBAUGH: Yes, it is on the floor.

PRESIDENT DEFAZIO: We ruled that ---.

MR. FINNERTY: It's not on the floor. This is totally out of order.

PRESIDENT DEFAZIO: He's got ---. Heather.

MS. HEIDELBAUGH: Because I did the motion and Sue seconded me.

PRESIDENT DEFAZIO: No.

MS. HEIDELBAUGH: And then Mr. ---

PRESIDENT DEFAZIO: He has ---.

MS. HEIDELBAUGH: --- Finnerty jumped in front of me. I just want to talk about the elderly poor.

PRESIDENT DEFAZIO: When we come to you, we'll do that.

MS. HEIDELBAUGH: If the Democrats don't want to vote on this issue about the elderly poor, ---

PRESIDENT DEFAZIO: No.

MS. HEIDELBAUGH: --- just vote no.

PRESIDENT DEFAZIO: No, Heather.

MS. HEIDELBAUGH: Just say you don't care about the elderly poor.

PRESIDENT DEFAZIO: Heather, Heather, we know you're playing games.

MS. HEIDELBAUGH: Just vote no.

PRESIDENT DEFAZIO: You're out of order now. Come on, let's go here. Mike, Mike Finnerty, his issue is on the floor right now. Do you want to say any more on that, Mike?

MR. FINNERTY: No, I don't. I've just, you know, I've said everything I want. And I just thought that's one of the reasons why this has to be done, because we have people that are out of order that want to talk about this for some reason when it's not on the floor.

PRESIDENT DEFAZIO: Okay.

MR. FINNERTY: And that's not correct.

PRESIDENT DEFAZIO: Representative Ellenbogen.

MR. ELLENBOGEN: You know what? When it comes to this stuff, I'm going to put it out as flat and as honest as I can. Now, you know, I don't have a problem dealing with this bill on the floor for right now,

Councilwoman Heidelbaugh's bill, and discussing it and talking about it and putting it to rest or putting it forward, you know, because the way this thing is going to play out is I am not going to be accused of trying to like block somebody's view on what I feel about senior citizens and for this to get caught up between D & R politics. I have no problem discussing this. I have experience from this from past administrations. So you know what? This is going to play in the media and make us all look like a bunch of idiots. And I'm not playing this game. Let's either deal with the bill and put it away or let's put the bill forward and pass it and discuss it.

MS. HEIDELBAUGH: Thank you.

MR. ELLENBOGEN: Thank you.

MR. FUTULES: It's not on the floor yet.

MR. ELLENBOGEN: No. I haven't given the floor back. You know, and then you know what? I'm not also going to be accused of disparaging any of my Council --- because I have a big mouth, too, and sometimes I need to be --- shut up. So you know what? We are passionate about what we do. Let's just deal with the bill and not put any obstacles in front of it.

PRESIDENT DEFAZIO: The only thing is, Jimmy, is that issue still --- you're wrong, too.

MR. ELLENBOGEN: I know I'm wrong. I know. I'm just trying ---.

PRESIDENT DEFAZIO: I mean, you could do that pretty soon. But we're still on Mike's issue.

MR. ELLENBOGEN: I know I'm wrong. And I apologize ---

PRESIDENT DEFAZIO: That's all right.

MR. ELLENBOGEN: --- because I know I'm out of order. So with that ---.

PRESIDENT DEFAZIO: We're still on Finnerty's issue.

MR. SZEFI: And the issue was the Chair recognized Mr. Finnerty's bill.

PRESIDENT DEFAZIO: Yeah.

MR. SZEFI: The other --- there was a second, or a motion made and a second, but the Chair didn't recognize that because it was during the comments of Mr. Finnerty. That's my understanding, how I saw it.

MR. FUTULES: On Mr. Finnerty's bill, motion.

PRESIDENT DEFAZIO: Yeah. We have a motion and a second on Mr. Finnerty's.

MR. SZEFI: Right. You're correct.

PRESIDENT DEFAZIO: So now, let's talk about that issue. Sue, will you ---?

MS. MEANS: Yes. First of all, thank you for recognizing me, Mr. President. I wanted to say that I think Representative Amanda Green Hawkins comments were brilliant, and I'm going to miss you when --- serve out your term here. I very much appreciate it, and when you were ---.

PRESIDENT DEFAZIO: She must agree with you, huh?

MS. MEANS: What?

PRESIDENT DEFAZIO: She must agree with you.

MS. MEANS: But this is really important. The public needs notice of what's on the agenda. It the words aren't there describing the bill, the public can't sign up for public comments. So the bills on the agenda affect the public, and they need notice of what the bill is so that they may come and address, as a public, their concern before we meet. Case in point. Barbara Daly Danko had a bill to put a hold on drilling that was passed in 90 days that she pulled out of committee. And if the Protect Our Parks people hadn't known it was on the agenda then they would not have known to come to that meeting and come to the microphone and speak. That's what we do, is serve the public. That is what we need to do is educate them and let them know what's going on. More information is better. And if we would have addressed Heather's bill and voted on it already, we'd be out of here, but instead, we're bickering and fighting over silliness. Thank you.

MR. FINNERTY: Okay. Here we go. Well, Mr. President, I think we shouldn't be doing this fighting over silliness. Let's vote.

PRESIDENT DEFAZIO: Go ahead.

MR. KRESS: I was going to say is there a way to put this in Committee, because I can't vote for this. I think this needs to be vetted out. I mean, I'm not going to vote for it right now. I just want to --- it's either going to go to committee or I'm not going to vote for it. That's just my opinion.

PRESIDENT DEFAZIO: Do you want to put it in committee, Mike, or vote on it now? Jan Rae, first. Go ahead. She didn't speak.

MS. REA: Are you ---?

MR. FINNERTY: No, we can send it to committee. That's fine.

PRESIDENT DEFAZIO: We'll send it to committee.

MS. RAE: Thank you.

PRESIDENT DEFAZIO: Do you still ---?

MS. RAE: No. Thank you.

PRESIDENT DEFAZIO: All right. So we're past that issue. Now, we go to ---.

MR. FINNERTY: If that is correct, after --- and a second then I can do that?

MR. BARKER: I would defer to the Solicitor on the grounds of whether the motion needs to be withdrawn or not.

MR. FINNERTY: Good.

MR. BARKER: My only question is which committee do you want to refer it to?

PRESIDENT DEFAZIO: It has to go to Government Reform. And it'll be heard in a reasonable amount of time. It's not going to sit there. Okay. I'll read your mind before you say it. Next, we have 8961-15.

MR. BARKER: A Motion of the Council of Allegheny County pulling Bill Number 8228-14, a Resolution of the County of Allegheny, Commonwealth of Pennsylvania, urging the Pennsylvania General Assembly to enact will all deliberate speed an act authorizing the governing bodies of counties of the second class to provide by ordinance for the implementation of tax provisions to allow for a property tax freeze for qualifying senior citizens, from committee for an immediate and final vote. Sponsored by Council Member Heidelbaugh.

MR. BAKER: So moved.

MR. FUTULES: I have a question.

PRESIDENT DEFAZIO: Is there a second?

MR. FUTULES: Do you want me to second?

MS. HEIDELBAUGH: I second.

PRESIDENT DEFAZIO: Okay. Heather, did you have a question first?

MS. HEIDELBAUGH: May I speak to this motion?

PRESIDENT DEFAZIO: Yes. Yes.

MS. HEIDELBAUGH: When this last was on the agenda, it was ruled that this was a dilatory motion pursuant to Robert's Rules of Order.

MR. FUTULES: That's correct.

MS. HEIDELBAUGH: And I've since done research and dilatory motions pursuant to Robert's Rules are as

follows. There's four categories. That the motion is misused with the purpose of obstructing business such as a series of points of order and appeals, motions to table and motions to adjourn, which certainly this is not because this is a motion to pull a substantive matter. That it's absurd in substance, I don't think anyone would say a bill to recommend a freezing poor elderly property --- a poor, elderly property tax is absurd in substance. That it's frivolous, especially amendments where it's unwarranted, which is calling a division. So when this was ruled as dilatory, it does not comply with any of the definitions of dilatory.

Number two, I'm asking to pull the motion because we're violating the Administrative Code and we haven't had it voted on in 90 days. I introduced this bill in '12. We argued about it in '13. I reintroduced it in '14, and now we're arguing about it again in '15. So I want to either --- I would love to have it in Committee where we can talk about the substance of why Philadelphia has enacted --- got this enacted through the State Legislature. And we could crunch the numbers and we could talk how many elderly poor could we help with this? But if you don't want to do that, then the elderly poor deserve an up or down vote.

MR. SZEFI: I do not believe there's been a second.

MS. HEIDELBAUGH: Yes, I seconded. He ---.

MR. BAKER: I made the motion.

MR. SZEFI: Okay. Sorry. All right. I didn't hear it. I wanted to check on that.

MR. FINNERTY: Are we arguing the content of this bill or are ---?

MS. HEIDELBAUGH: No.

MR. FINNERTY: Are we?

MS. HEIDELBAUGH: No.

MR. FINNERTY: I mean, I don't understand why.

MR. SZEFI: It's just a motion to pull at this point.

MR. FINNERTY: Yeah, but let's vote on it.

PRESIDENT DEFAZIO: What are we voting on now?

MR. ELLENBOGEN: Pulling the bill.

MR. SZEFI: Pulling the bill from committee.

Now, there is an issue under Robert's Rules of Order under Section 38. This is the section right preceding the Section that Councilwoman Heidelbaugh referred to under

dilatory motions. And this is my concern. It says that if a motion had been made and disposed of without being adopted and is later to come before the assembly after being made again by a member, it is essentially the same motion and the motion is said to be renewed. Renewal motions are limited and not permitted in the same session of the body. And if you look up the definition of session, it can include any public meeting of the assembly.

MS. HEIDELBAUGH: But that refers to a substantive motion. This is a motion to pull.

PRESIDENT DEFAZIO: Well, ---.

MS. HEIDELBAUGH: A procedural motion.

PRESIDENT DEFAZIO: The thing is ---.

MR. ELLENBOGEN: Just do it.

PRESIDENT DEFAZIO: Let me say one thing.

MR. SZEFI: Let me think about that.

PRESIDENT DEFAZIO: If you make a motion and it's ruled going the other way, she wanted it to get pulled. It was voted on. And it was talked about four times. You can't keep voting on the same thing without changing it. It's the same thing.

MR. SZEFI: That's the rule. But she's saying this is a procedural motion, not a substantive motion.

MS. HEIDELBAUGH: Right.

MR. SZEFI: You are correct, Mr. President, that you can't bring up the same matter again and again and again. And that's what I was citing.

MS. HEIDELBAUGH: But we've never voted on it.

MR. SZEFI: My concern is ---.

MS. HEIDELBAUGH: This is a procedural motion to pull to comply with the Administrative Code to require you to vote for things within 90 days.

MR. SZEFI: Right. Section 38, I have to say does not, in my opinion --- and in just reading this, it doesn't make any differentiation between a procedural or a substantive motion.

MS. HEIDELBAUGH: So then why did we vote on the moratorium issue twice?

MR. SZEFI: I can't speak to that, but ---.

PRESIDENT DEFAZIO: So according to the Rules there's no differential between one or the other.

MR. SZEFI: According to this Rule 38, correct.

PRESIDENT DEFAZIO: Well, that's in the book.

MR. SZEFI: Right.

MS. HEIDELBAUGH: Then I will motion to overrule the Chair.

PRESIDENT DEFAZIO: Okay.

MR. FINNERTY: Motion to what?

MR. SZEFI: Overrule the Chair. I don't know that the Chair has ruled yet.

PRESIDENT DEFAZIO: I didn't rule. You asked the Parliamentarian.

MR. ELLENBOGEN: You can't overrule the Parliamentarian.

MS. HEIDELBAUGH: I didn't, you did. There's a motion and a second. Let's vote.

MR. FUTULES: You know, I got a question.

PRESIDENT DEFAZIO: Go ahead.

MR. FUTULES: May I be recognized?

PRESIDENT DEFAZIO: Yeah.

MR. FUTULES: The last time you ruled it out of order because it was dilatory.

PRESIDENT DEFAZIO: I didn't say dilatory.

MR. FUTULES: Whatever, somebody did. And Jack Cambest said you can't keep bringing up the same thing.

MR. SZEFI: That's this section of the book that we're talking about.

MR. FUTULES: I guess my question is why is it on the agenda in the first place then if we can't keep bringing it up? Shouldn't we instruct our ---

MR. SZEFI: I don't know.

MR. FUTULES: --- safety director not to put this on the agenda again? Because it was already ruled not to do so, but it's here again.

MR. SZEFI: Well, I think ---

MR. FUTULES: That's what he said the last time.

MR. SZEFI: --- that's up to the Chair and the body to make those rules with respect to bringing up a matter that has been previously considered, so in answer to your question, I'm not sure how it got on the agenda, but yes, it would be ---. If it's been ruled already and it's not substantially changed because there are --- you can vote on something again if it's been changed in format.

PRESIDENT DEFAZIO: Or else you can keep voting and voting and voting.

MR. FUTULES: But has the format been changed?

MR. SZEFI: No, not on this motion.

MS. HEIDELBAUGH: The motion to pull?

MR. SZEFI: Correct. But it's the same motion that was last month.

MS. HEIDELBAUGH: You can never change the format of a motion to pull.

PRESIDENT DEFAZIO: We voted on that particular issue.

MR. SZEFI: Right. Correct.

PRESIDENT DEFAZIO: Okay. So now where are we at here?

MR. SZEFI: So now the Chair has the decision as to whether it should be considered based upon the Parliamentarian's ruling.

PRESIDENT DEFAZIO: Based on the Parliamentarian's ---

MR. SZEFI: Rule 38.

PRESIDENT DEFAZIO: --- rules, it was voted down already. It's been brought up for about three or four times, so I think we can't go forward with it. That's my opinion.

MS. HEIDELBAUGH: Motion to overrule the Chair.

MR. ROBINSON: Second.

PRESIDENT DEFAZIO: Second. So now she wants to appeal the decision.

MR. SZEFI: Now, that's non-debatable as we know from earlier on. So let's have the roll call on that.

PRESIDENT DEFAZIO: Explain what, you know, ---.

MR. BARKER: Ms. Heidelbaugh made a motion to overrule the Chair's ruling that this motion is improper and therefore, out of order. It was seconded by Mr. Robinson. An aye vote is to overrule the Chair's ruling and continue consideration Ms. Heidelbaugh's motion to pull. A nay vote will leave the Chair's ruling intact and the bill will be passed over.

MR. SZEFI: uh-huh (yes).

MR. ELLENBOGEN: Mr. President, ---

PRESIDENT DEFAZIO: Yeah.

MR. ELLENBOGEN: --- can I have a point of order here?

PRESIDENT DEFAZIO: Yeah, go ahead.

MR. ELLENBOGEN: The thing that bothers me the most about this is the perception of what's going on here. So I would ask the sponsor of the bill to pull the bill and restructure it so that it can be legal. Because what's going to play here it makes me look like I'm against senior tax --- and that's not correct. And I

don't like how this thing is being spun here, and that's exactly what is. It's a political spin. I didn't fall out of a political tree this morning. I've been doing this for 40 years. And I can tell you the next play is, is Ellenbogen and company against senior citizens? I'm not playing that game. Either make this legal and I will engage you and we'll talk about it all day or pull the bill because I'm going to walk out of the room. I am not going to vote on something that I know that this gentleman here has said is illegal. Thank you.

MS. HEIDELBAUGH: It ---.

PRESIDENT DEFAZIO: Heather?

MS. HEIDELBAUGH: It is in committee. It has been in committee for three and a half years. The Chairman of Government Reform is sitting to my left. If you could ask him, Jimmy, to please schedule a hearing when we can all talk about the substance of whether the elderly poor deserve a tax break, then I will never file a motion to pull again. Because if people vote yes, I'll be fine with it. And if people vote no, I'll be fine with it. I just want a discussion.

MR. ELLGENBOGEN: But the thing is ---.

MS. HEIDELBAUGH: It's in committee.

MR. ELLENBOGEN: But it has been brought to this Council a couple of time.

MS. HEIDELBAUGH: To pull it.

MR. ELLENBOGEN: Change the wording so that it's legal.

MS. HEIDELBAUGH: It is legal. It's in committee.

PRESIDENT DEFAZIO: Not back and forth.

MR. FINNERTY: We're not supposed to be debating. Can we vote, please? This is all out of order. I mean, we've stated that fact again.

PRESIDENT DEFAZIO: Okay. We'll have a roll call vote.

MR. BARKER: On Ms. Heidelbaugh's motion to overrule the Chair.

MR. BARKER: Mr. Baker?

MR. BAKER: Aye.

MR. BARKER: Mr. Ellenbogen?

MR. ELLENBOGEN: I already made my comments. I just don't want to pick up on that. Abstain.

MR. BARKER: Mr. Finnerty?

MR. FINNERTY: No.

MR. BARKER: Mr. Futules?
MR. FUTULES: No.
MR. BARKER: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. BARKER: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Aye.
MR. BARKER: Mr. Kress?
MR. KRESS: Yes.
MR. BARKER: Mr. Macey?
MR. MACEY: No.
MR. BARKER: Mr. Martoni?
DR. MARTONI: No.
MR. BARKER: Ms. Means?
MS. MEANS: Yes.
MR. BARKER: Mr. Palmiere?
MR. PALMIERE: No.
MR. BARKER: Ms. Rae?
MS. RAE: Yes.
MR. BARKER: Mr. Robinson?
MR. ROBINSON: Aye.
MR. BARKER: Mr. DeFazio?

PRESIDENT DEFAZIO: No.

MR. BARKER: Ayes, 7, no's 6, 1 abstention. The motion to overrule fails.

PRESIDENT DEFAZIO: Notification of Contracts.

MR. BARKER: We have none.

PRESIDENT DEFAZIO: Public Comment, we have Lester Ludwig.

MR. LUDWIG: Thank you, Mr. President. I want to pay respects to the memory of Barbara. And then I want to turn and thank the education I got after the end of the last meeting from Mike and from Nick in regards to the fact the federal government regulates where trains go and that Pittsburgh can't do anything about it. I agree with you about the position that you took, but what I disagree with is the responsibility that we have as citizens to protest and say to the federal government we want these trains re-routed.

Now, let's look at it. When I go past the Water Department, there's oil tankers right next to our water. We just had a serious derailment where, in Hazelwood. I was at Crivelli Chevrolet since the last meeting, and by gosh, there it is, a railroad track with oil tankers going next to a river. The City of Pittsburgh, the County of Allegheny, has a responsibility as Ms. Hawkins has said,

that we serve the public, that we have to say something even if nothing happens --- but we have to take a stand because that's our responsibility in serving. That's how I see it. And I see it as a professional in food.

Number Two, Mr. Kress and I had a meeting briefly, and Mr. Kress is right. Mr. Fitzpatrick is the only one who can issue a contract for me to be of service to Allegheny County and the City of Pittsburgh in regards to making a profit from the judicious use of assets. I will be presenting a contract shortly.

I thank you and good evening, ladies and gentlemen.

PRESIDENT DEFAZIO: Thank you. Joni Rabinowitz.

MS. RABINOWITZ: I'm Joni Rabinowitz and I live at 7721 Edgerton Avenue. I feel a little bit strange making these prepared comments after the incredible silliness that I just observed, but I'm going to. I want to take this opportunity to comment on yesterday's elections, the success of the campaign for Barbara, and how we need to look forward now.

Hopefully, some of the surprising results yesterday will make our elected officials, including you, take a long, hard look at how you are operating and what's the most honest and effective way to represent the people.

The voters had various reasons for voting as they did, and while there's not much that hasn't been said, I'd like to quote from one person about her experience talking to people about the contributions that Barbara Daly Danko made to our work to make this County as good as it can be. Her consultant, Jennifer Blatz, writes as follows. I spent the day visiting polls in Munhall, Homestead and West Homestead and talking to the poll workers about Barbara. I have to admit that it started out feeling like a very depressing exercise, but something was pushing me to keep going. And as the afternoon went on, I bumped into more and more people who knew her well and talked about how much they admired her.

While I only knew Barbara for a short while, it was crystal clear to me yesterday that she gave me an incredible gift. Electing people like her is the very reason I decided to strike out on my own and try to make my living in politics on my own terms.

So when we're beating our heads against the wall by asking why are we doing this again, which we very frequently do, we can ground ourselves by remembering her

and the time that we got to spend with her. She truly was one in a million.

I hope that in your deliberations to fill this seat you select somebody who embodies the characteristics Barbara had and her commitment to integrity, transparency and thorough investigation of every issue, and especially her commitment to do the right thing regardless of party affiliation, not the thing that's most expedient or fits in with personal political goals, but the right thing.

In the recent months, more and more studies have come out about the effects of fracking and in private conversations with some of you, I know you're looking more seriously at the issue. I hope that at your next opportunity to consider this issue, probably around Hill Park, you will invite and listen to serious scientific study and actually read the leases you are being asked to sign rather than take the lead from a County Executive who only got 60 percent of the Democratic votes which were cast just yesterday.

As Terri Klein, Barbara's campaign manager, said, Barbara would have said we have a lot of work to do. Let's get on with it.

PRESIDENT DEFAZIO: Next is Edward Chute.

MR. CHUTE: Ed Chute, 9004 Valleyview Road, Mount Lebanon. Hello, everyone. I want to join the rest of you in expressing, Gwen's and --- my wife and my sorrow at Barbara Danko's death, as well as that of our fellow colleagues in Protect Our Parks. We will miss her.

Additionally, I want to express my personal thanks to each of you that are retiring from the Council for serving the people of Allegheny County. Moreover, I also offer my congrats to those of you recently were nominated by your party, since I am unaffiliated, to stand once again for election to this Council.

On the other hand, my formal purpose here tonight is as a member of Protect Our Parks to invite each of you Council members to a potluck Protect Our Parks picnic at Deer Lakes Park on Saturday, May 30th, from noon until 2:00 p.m. at the trout shelter. We will provide beverages, but no alcohol, please. You also may bring your dog on a leash.

I understand you already individually have received an e-mail invite to our picnic, but Protect Our Parks also wanted in this, our usual forum, to invite you more formally to express our desire to have you

participate with us and to enjoy Deer Lakes Park the way it was originally set aside for everyone to enjoy. You are welcome and please come. Thank you.

PRESIDENT DEFAZIO: Thaddeus Popovich.

MR. BARKER: He's not here.

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

MR. ELLENBOGEN: Mr. President?

PRESIDENT DEFAZIO: Yes.

MR. ELLENBOGEN: If I could announce something that I think is important. I forgot to do it in the Liaison because I kind of got caught up in everything. Friends of mine, Rege Behe, there'll be a fundraiser for a Ms. Hanifa Nakiryowa at the Rodef Shalom Congregation, the Aaron Courtyard, on June 21st, 2015 between 4:00 and 7:30. This young woman was victimized by an acid attack in her native Uganda, and --- while she was, you know, working for UNICEF and the poor woman is disfigured. The fundraiser is free and open to the public and it will feature various sale items including scarves and whatnot. And there'll be music for (sic) David and Joey Granati. If you can go there, it would be nice. I mean, this poor woman was actually trying to get her kids and somebody threw acid in her face. And I think this is a worthy cause. I applaud my friend Rege for doing this. So if anyone can show their face or make a contribution in some way, I'd appreciate it. Thank you again.

MR. FINNERTY: Where is this?

MR. ELLENBOGEN: Oh, I'm sorry. It will be June 21st between 4:00 and 7:30 at the Rodef Shalom Congregation, the Aaron Courtyard. And that's at 4905 Fifth Avenue. The media contact person is a Pauline Greenlick. Her number is 412-207-2939, or P-G-R-E-E-N-L-I-C-K@gmail.com would be a way if you want to get more of the details.

I apologize for bringing this up now. It kind of slipped my mind with everything. Thank you.

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

MR. FINNERTY: I'll make a motion.

PRESIDENT DEFAZIO: Is there a second?

(Chorus of seconds.)

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

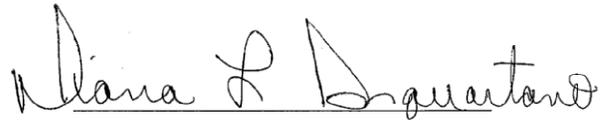
(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it.

MEETING ADJOURNED AT 7:26 P.M.

CERTIFICATE

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

A handwritten signature in cursive script that reads "Diana L. Inquartano". The signature is written in black ink and is positioned above a horizontal line.

Court Reporter

Diana L. Inquartano