

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

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 (Via Telephone)  |
| 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                 |
| Terri Klein              | - | District 11                 |
| James Ellenbogen         | - | District 12                 |

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

Tuesday, August 18, 2015 - 5:05 p.m.

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

IN ATTENDANCE:

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

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? After me on the Pledge of Allegiance.

(Pledge of Allegiance.)

PRESIDENT DEFAZIO: During our silent prayer, I'm going to read this.

At this time I would like to take a moment to honor and remember Elsie Hillman, who regrettably passed away the morning of Tuesday, August 4th. Elsie was great steward of our community who believed in the value of giving back to the City and County she called home. Her work and philosophic --- philanthropic spirit evident almost everywhere you look, and spanned areas ranging from medicine as the Elsie --- as the Hillman Center, cancer center, to technology and advances in --- at the Hillman Center for future generation technology, to the arts at the Elsie Hillman Auditorium at the Kauffman Center. Her warm smile brought spirit, will --- and greatly missed. And we thank her for the years of dedicated service that she selflessly offered to our region. Signed by myself and Jan Rea. Thank you.

Roll call.

MR. CATANESE: Mr. Baker?

MR. BAKER: Here.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Here.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Here.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Here.

MR. CATANESE: Ms. Green Hawkins?

(No Response.)

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Here.

MR. CATANESE: Ms. Klein?

MS. KLEIN: Here.

MR. CATANESE: Mr. Kress?

MR. KRESS: Here.

MR. CATANESE: Mr. Macey?

MR. MACEY: Present.

MR. CATANESE: Mr. Martoni?

DR. MARTONI: Here.

MR. CATANESE: Ms. Means?

(No Response.)

MR. CATANESE: Mr. Palmiere?  
MR. PALMIERE: Here.  
MR. CATANESE: Ms. Rea?  
MS. REA: Here.  
MR. CATANESE: Mr. Robinson?  
MR. ROBINSON: Present.  
MR. CATANESE: Mr. DeFazio, President?  
PRESIDENT DEFAZIO: Here.

MR. CATANESE: Thirteen (13) members currently present. Oh, let the record show Ms. Means is present.

PRESIDENT DEFAZIO: 9080-15.

MR. CATANESE: Proclamation congratulating Reverend Dr. Darryl T. Canaday of the Rodman Street Missionary Baptist Church upon the occasion of his 5th pastoral anniversary and naming Saturday, August 28, 2015 to be "Reverend Dr. Darryl T. Canady Day" in Allegheny County. Sponsored by Council Members DeFazio, Robinson, Baker, Ellenbogen, Finnerty, Futules, Green Hawkins, Heidelbaugh, Klein, Kress, Macey, Martoni, Means, Palmiere and Rea.

PRESIDENT DEFAZIO: Thank you. At this time I would like Bill Robinson to say a few words. Bill.

MR. ROBINSON: Thank you, Mr. President, members of Council. To Reverend Canady, Reverend Brown and other members of the clergy, it's indeed a pleasure. When President DeFazio called me and asked me to join him in this effort, I was more than happy. I know Reverend Canady had an opportunity to participate in two of the programs that he initiated at Rodman Street Baptist Church for men. And I thank him for doing that. We had good conversation among ourselves.

It's necessary, Reverend. I understand you're doing it again. Keep doing that. The men need those private sessions to talk among ourselves about important issues. So thank you very much. And particularly black men need those kinds of sessions, and I thank you for being bold and kind enough and spirit-filled enough to do that.

I know many of the members of your church, past and present, and I've been around long enough as a member of the St. Luke Baptist Church to appreciate pastors such as yourself. Sometimes people don't know the difference between pastors and ministers. You have shown me that you are both. Some of us don't understand that our pastors and our ministers need to be ministered. They need

people. Jesus had people ministering to him. And I thank you for being bold enough to proclaim Jesus the Christ as your Lord and Savior.

A lot of folks don't want to do that. They say it's not politically correct. Thank you, Reverend, for continuing to encourage me through your performance that it's okay to say, Jesus Christ is my Lord and Savior. Thank you for that.

You're serving this community at a time when we're in great need. You follow in the footsteps of other great pastors, not only at Rodman Street, but at other churches in our community regardless of denomination.

I thank you and your family for being in our community. We thank you for hearing the call to come to us here in the Pittsburgh community.

On behalf of myself and I'm sure all my colleagues here on County Council, we know this honor today is taken in the spirit it is given, and knowing you to be the unselfish person that you are, that you'll take it and smile.

Only one little light note --- I say this to people who we honor. Take this home, hug it real tight, sleep in the bed with it tonight. In the morning, put it on the mantle and go back to the things that God would have you to do. Thank you.

(Applause.)

PRESIDENT DEFAZIO: I'd like Reverend Canady and whoever else wants to come up --- Gail, Vivian, whoever wants to come up with him ---. Yeah, is Mrs. Canady here? Yeah. Sure. Anyone else from the family or anything? Okay. Well, before I read this, I don't know the Reverend that long, but I have been at a couple of his meetings. He's always done a good job. And I know I heard a couple things he was saying. He had everybody spellbound. Always does a good job. I can honestly say that. So with that I'll read the proclamation.

WHEREAS, Reverend Dr. Darryl T. Canady, a native of Florida, received his Bachelor of Arts degree in banking finance from --- what is it, Morehouse College in Atlanta, Georgia, his Master of Divinity degree from Emory University, Candler School of Theology in Atlanta, Georgia, and a Doctor of Ministry degree from the Samuel DeWitt Proctor School of Theology at Virginia University at Richmond, Virginia.

AND WHEREAS, in February 2010, Reverend Canady accepted the call to pastor Rodman Street Missionary Baptist Church in Pittsburgh, Pennsylvania. His perspective on realization inside and outside the church, and the leadership qualities were a welcome addition to the Rodman Street Missionary --- yeah, Missionary --- ministry.

AND WHEREAS, since Reverend Canady arrived, over 800 new members have joined Rodman Street Missionary Baptist Church and has created a --- new ministries that are bringing people of Rodman and the community together.

AND WHEREAS, Reverend Canady has completed the three-year Lott Carey Foreign Mission convention pastoral excellence program and has ministered in several cities across the United States and internationally in South Africa and the West Indies.

AND WHEREAS, the weekend of August 28th to the 30th, 2015, Rodman Street Missionary Baptist Church will celebrate the five-year pastoral anniversary of Reverend Canady.

NOW, THEREFORE BE IT RESOLVED that the Allegheny County Council does hereby commend Reverend Dr. Darryl T. Canady on five years of service to the congregation and the community.

And Council does hereby declare Sunday --- I mean, Saturday, August 28th, 2015 to be Reverend Dr. Darryl T. Canady Day in Allegheny County. Signed by myself and Council all back in the room. Thank you very much. Congratulations. Come on up here and have a picture.

MR. ROBINSON: Do you want to ---?

PRESIDENT DEFAZIO: Yeah. I'm sorry.

REVEREND DR. CANADY: It's okay.

PRESIDENT DEFAZIO: The main man here. Go ahead.

REVEREND DR. CANADY: I want to thank County Council for this honor, and I look forward to working with you as we make our City and our County the best and most liberal place for all of the citizens. But thank you very much for allowing us to come today and to share in this great occasion. Thank you.

PRESIDENT DEFAZIO: Does anybody else want to say anything? Anybody? Okay. We'll go up and take a picture. Right up front. Go ahead, right up front everybody.

(Pictures taken.)

PRESIDENT DEFAZIO: 9081-15 isn't here yet.  
We're going to go with 9082-15.

MR. CATANESE: Certificates of Achievement congratulating Pittsburgh's 50 Finest and naming Thursday, August 13th, 2015 to be "Cystic Fibrosis Foundation Pittsburgh's 50 Finest Day" in Allegheny County. Sponsored by Council Member Baker.

MR. BAKER: All right. Thank you very much. If we could have the 50 Finest Group come on up, the staff and everyone involved with the Cystic Fibrosis Foundation? Just to get a sense from Council and from the crowd here, has anyone ever been to 50 Finest? This crew has; right? Ed Kress, I know Councilman Kress. Mr. Robinson has been there. It's a great event, a terrific organization, the Cystic Fibrosis Foundation. And what brought me to getting involved in CFF, a few years back one of our closest friends, R.J. Thompson, who these guys know all very, very well, started telling us a story, just sharing a story with us. And he got me involved with CFF. And a few years back my wife and I did the married version of this, which is Couples for a Cure, and I still look at the picture every morning from the event. It's right there in my office. And my wife and I are just so proud of R.J., you know, we've got a lot of love for R.J., got to be there for his wedding. R.J. is a young professional that reminds us fairly frequently that, you know, years ago he would not have lived to see 30. He would not have lived to see his first child being born just a few months ago, Amelia. Do you guys all like Amelia's page on Facebook, by the way? So R.J. really brought me to this terrific organization.

This group raised over \$400,000 through the event last Thursday night. Over \$400,000.

(Applause.)

MR. BAKER: Thanks. Yeah, \$400,000, which we like that, Mary Pat. That's good. Lauren, we like that; right? That's very, very good. So we've got a great crew. We got three of the honorees here, Board member Justin, Mary Pat is the executive director and Lauren is the development director. And I want to recognize them and congratulate them for all their good work. So we'll hear from you in just a minute or two, but for now, let's --- we'll go right to the proclamation.

And last Thursday was Pittsburgh's 50 Finest Day in Allegheny County. And this Certificate of Achievement is awarded to Pittsburgh's 50 Finest by the Western Pennsylvania, Pittsburgh Chapter of the Cystic Fibrosis Foundation. This elite group of their most accomplished men and women are honored each year for their success in their careers and their involvement in the Pittsburgh Community. The honorees commit to raising much needed funds and awareness for CFF --- \$400,000 of those funds. And their efforts were celebrated at a special gala hosted by CFF and WHIRL on August 13th at the Omni William Penn Hotel. I believe, Councilman Kress, you were there; right?

MR. KRESS: Yeah. It was a great event as usual, so ---.

MR. BAKER: Got a big supporter. That's good. The mission of CFF is to cure cystic fibrosis and to provide all people with the disease the opportunity to lead full productive lives by funding research and drug development, promoting individualized treatment and ensuring access to high quality specialty care --- specialized care.

On the occasion of the 20th Anniversary of Pittsburgh's 50 Finest, Allegheny County Council and all my colleagues do hereby congratulate each individual that were the honorees this year for being named one of Pittsburgh's 50 Finest. And we commend their advocacy and support for the Western Pennsylvania Pittsburgh Chapter of CFF.

Furthermore, this Council does hereby declare Thursday, August 13th, to be Cystic Fibrosis Foundation Pittsburgh's 50 Finest Day in Allegheny County. So it was your day last Thursday. So congratulations. And give it up for everyone from CFF. Congratulations.

(Applause.)

MR. BAKER: And Mary Pat, I don't know if you want to --- Justin, do you want to speak first? Oh, Justin. So here you go, Justin. And then we'll pass out to the honorees as well ---.

Justin I've known since my Couples for a Cure day, and he's a great, great guy and on the Board. There you go. Your names are on them. So congratulations, Justin. He's from our Board of Directors. Do you want to say a few words?

MR. DAVIS: Yeah, I'd love to. Thank you. And thank you guys so much for hosting us and for giving us this great honor. I mean, this is amazing, and this does nothing but, you know, aid in our progress for a cure. My name is Justin Davis. As my friend Tom said, he's --- he and Erin were Couples for a Cure, which is the couples version ---. And I was introduced to cystic fibrosis as an honoree eight years ago. And I continued on and really took the mission as something that I wanted to take on and use all of my efforts to see through. And it's just been a wild ride. Everything that, you know, I was told when I was a beginning honoree that was on the horizon was going to be there to help aid people like R.J., drugs and treatments that run the pipeline, then were approved by the FDA and put to market, and they're actually treating people. So I'm putting this effort into this cause and it's bearing fruit. And that's really rewarding.

And I got to tell you a little bit about the 50 Finest Honorees and the staff from our local chapter and nationally. First of all, the staff, Pat and Lauren are here from the staff, but I mean, you're talking about people that could run any Fortune 500 company and run it with efficiency and run it better than it's running now. These aren't people that are looking for a job. These are people committed to the cause, and they happen to be doing this for a living. It's an amazing, amazing partnership.

Then you take the 50 Finest, which we're on year 20, as Tom said. That's 1,000 honorees. That's 1,000 people, not just people from Pittsburgh that, you know, we approached and hey, maybe do this and that. These are people that chose to use their time and their efforts to fight for this cause for us. I have three people up on the panel today, if you will. That's Joel, Phil and my friend Jordan. And basically these are three people that you could drop anywhere on this earth, and they would be successful. They would flourish. These aren't just people that we begged to, you know, hey, help us out. And maybe they had a little lemonade stand and raised a couple dollars. These are the most dynamic people in this city.

And behind them this year there's 47 other dynamic people and 1,000 overall. And they're from Pittsburgh where --- you know, Allegheny County, we discovered that --- oh, I'm a little parched. I ran across from the other building. But we discovered the

gene for cystic fibrosis in 1989 in Allegheny County. So we're forever connected to this disease.

And we're going to cure this disease. That's the most exciting part about it. You know, what 1,000 amazing dynamic people from Pittsburgh can do? Anything. These are people that are just incredible. So I'm incredibly proud to be a part of this organization. I mean, to be a Board Director and to see what I've seen and all of the things I was told were going to happen are happening. FDA approval, the first drug treated four percent of the CF population. It doesn't sound like a large number, but Kalydeco was approved in 2012, treated four percent of the CF population where they could take a pill. It eliminates the symptoms in a lot of ways and helps them gain lung function, gain, you know, their life back so that, like you said, R.J. could live a full and normal life.

Now, a few weeks ago, another drug that treats a third of the CF population. So we're --- we have things going that are going to get everyone treated. But the ultimate goal is a cure. And we are on our way. And it's happening here in our city and our county. So for this honor, we are most proud, and we thank you again.

(Applause.)

MR. BAKER: Which Council District do you live in? I think we're all getting a little bit nervous. That was a very good speech. Wow. Lauren, do you want to say a couple of ---? That was very good, Justin.

MS. PESCE: No. I think he did it all. We're good.

MR. BAKER: Pat, do you want to ---? Okay. Well, congratulations again to the 50 Finest. And we'll do a group photo. Congratulations.

(Applause.)

MR. DAVIS: And thank you for pointing that out, Councilman Kress. One other thing that I'd like to mention as we have all this Allegheny and Pittsburgh pride is the fact that our organization, our program, the Pittsburgh's 50 Finest, raised the most money nationally of any program in the country for the Cystic Fibrosis Foundation. And we've set this up in other markets. We've tried to share our blueprint, but we're still leading the way in dollars and in leadership. So we're very proud of that. National record, two years in a row. So thank you.

(Applause.)

(Pictures taken.)

PRESIDENT DEFAZIO: Next we have 9083-15.

MR. CATANESE: Proclamations congratulating the 2015 Pittsburgh Strong Award Winners and naming Friday, August 21st, 2015 to be "Strong Women Strong Girls Day" in Allegheny County. Sponsored by Council Member Baker.

MR. BAKER: All right. We're going to ask the Strong Women Strong Girls group to come on up, Sabrina Saunders and all the honorees for this years SWSG awards. And I feel very fortunate in my daily life to get to work with Strong Women Strong Girls on a regular basis, and the last few years have gotten to go to their event called Jump into Spring. It's an amazingly --- just inspirational event. It's an incredible event to see hundreds of young girls who are motivated, who are passionate, who are dreaming big to be there at Sabrina's annual Jump into Spring. It's truly an incredible event.

So SWSG has an event coming up where they're going to --- honoring some local terrific women that are doing big work and very happy to say, you know, we --- proclamations are --- always a part of our meeting. Sabrina and Lauren, I think, actually met through a proclamation night; is that correct? So that's kind of a --- literally, they met here at Council Chambers at a proclamation night. So very happy that the proclamation brought them together and now that --- they're colleagues and friends and that is excellent.

So I will get to the proclamation and then we'll get to meet our honorees.

WHEREAS Strong Women Strong Girls, SWSG, supports positive mentoring relationships between college women and pre-adolescent girls in under-served local communities to help raise ambition and combat the dangers of low self esteem.

AND WHEREAS since its inception in 2000, SWSG has experienced tremendous growth and provided programming to over 1,400 girls in Pittsburgh, Pennsylvania and Boston and in more than 100 schools and community centers.

AND WHEREAS Strong Women Strong Girls has served more than 623 girls from 19 Greater Pittsburgh neighborhoods throughout Allegheny County and matched them with 220 undergraduate mentors from Carlow, CMU, Duquesne, Point Park, Pitt and a new chapter at Robert Morris.

AND WHEREAS Strong Women Strong Girls established the Pittsburgh Strong Awards to celebrate one outstanding woman (sic) and three phenomenal young women whose work and leadership demonstrates a commitment to empowering women and girls throughout our region.

We hereby recognize and congratulate the following awardees. The 2015 Pittsburgh Strong Award winner is Tamasia Johnson from Pearl Club. She's the founder and executive director.

And then the 2015 Pittsburgh Strong Girl Award winners; Lauren O'Brien from Pitt, Rebecca Volk from Avonworth High School and Lorraine West from Barrett Elementary School. Those are the Strong Girl awards winners.

NOW THEREFORE BE IT RESOLVED that Allegheny County Council does hereby commend SWSG for the critical impact it is making in Pittsburgh's future by supporting girls and women in our region.

And we hereby declare Friday, August 21st, coming up in a few days here, to be SWSG Girls Day in Allegheny County. Sponsored by myself and presented on behalf of Allegheny County Council today, this 18th day of August, 2015. So congratulations.

(Applause.)

MR. BAKER: All right. And all of your names are listed. And Sabrina and I have been friends for a decade, and she's awesome. The amazing work that she's doing here in our community is truly inspiring. And Strong Women Strong Girls is very lucky to have her as executive director. I'm lucky to have her as a friend. And Big Brothers, Big Sisters is very lucky to have SWSG as a partner. So Sabrina.

MS. SAUDNERS: Thank you, Tom. I think Tom and I are trying to beat each other out who can give the most positive remarks about the other one publicly, and I think he's winning, at this point.

Thank you so much again. I'm Sabrina Saunders. I'm the executive director of Strong Women Strong Girls, and we are an afterschool mentoring program that serves girls in, as mentioned in the proclamation, 19 different neighborhoods throughout Allegheny County. And we're growing to serve Robert Morris this upcoming fall.

We do that by engaging college women as volunteers, by investing in them and investing in communities that I care about and I know that you care

about as well. I don't know if you know this, but it is at age nine when a girl's self-esteem peaks. And after that, a girl's self-esteem can plummet. Our program aims to stand in the gap and to raise ambition and self-esteem for girls across our communities so that they can sit where you sit and lead the way that you know and that I know they can.

These young women standing here are doing just that. They are amazing, dynamic, young leaders. They're leading today. They're not waiting for the baton to be passed to them. They're doing that work, the good work that we all envision for young people right now.

And so I just want to take a moment to acknowledge Lauren and Becca for their amazing contributions to our communities. I know they're going to continue to impress and to make us proud. So thank you again for this honor. We really appreciate it. And SWSG is better because of the communities that support us.

(Applause.)

MR. BAKER: Let's find out what you're being recognized for. I know you've been here before, but tell us a little bit about the work that you're doing.

MS. O'BRIEN: Yes. First of all, I just want to say thank you so much. Like I'm incredibly honored and humbled to be here with you, standing next to Sabrina. So I was here last year, but so much has happened in the past year. For those of you that don't know, I run an organization called Pauline and Juliet, and we work primarily in Uganda right now, but we also work a little bit locally, and would like to more and work in some other areas around the world.

But we work to empower girls through education. And you know, what we do is we supply scholarships. In places like Uganda, just primary school can be \$200 to \$1,000 a year. And for orphaned children alone, it's really difficult to get them to school. So we supply scholarships, scholastic material, uniform fees, mentoring, sex and health education, and just basically all the tools that they need to succeed. Eventually, we'd like to add on some job training and job placement and things along those lines.

But just since I've been here last year, so much has happened. We obtained our 501c3 clearance which was incredible. I got to work with Sabrina and Strong Women Strong Girls a little bit which was a really amazing

experience, being able to talk to some of the girls. And I just got back from Uganda. Actually, we bought eight acres of land for our next project which we're really excited about, which is a school and also a library.

So we're really excited about that. And we're really excited about the future. And hopefully, I'll be able to come back here and talk to you again about all the things that will happen. But I'm just so honored and so humbled to be here and so excited to continue to work with Sabrina and to continue to work in the community.

So I just want to say thank you so much.

(Applause.)

MR. BAKER: Lauren, you're going to be back in 2016. Is that the plan?

MS. O'BRIEN: That's the plan.

MR. BAKER: Okay. Once a year.

MS. VOLK: I just want to say thank you to everyone who was involved in nominating me and in the selection process, and most of all to the people who helped me get to where I am today. It's a huge honor to have been selected. Thank you.

(Applause.)

MR. BAKER: Would it be okay for my female colleagues on Council to join us for the pictures? Sue is getting pumped for it. Okay. That sounds good.

MS. HEIDELBAUGH: May we add our names as co-sponsors?

(Pictures taken.)

PRESIDENT DEFAZIO: 9084-15 and the rest will be read into the record.

MR. CATANESE: Certificates of Recognition presented to the campers and counselors of Breathe Pennsylvania's Camp Huff-n-Puff, August 13 through the 16, 2015 at Jumonville Camp and Conference Center in Hopwood, Pennsylvania. Sponsored by Council Member Baker.

9085-15. Proclamation thanking Adam Barth, Jason Browne, Kathy Fahy, Marie Fallon, Jennifer Jones and Neil McBeth for engaging citizens in community service through Rollin' with Rotary and declaring Sunday, August 2nd, 2015 to be "Rollin' with Rotary Day" in Allegheny County. Sponsored by Council Member Baker.

9086-15. Proclamations awarded to the students that participated in the 2015 Local Government Academy Municipal Intern Program. Sponsored by Council Members DeFazio, Martoni, Baker, Ellenbogen, Finnerty, Futules,

Green Hawkins, Heidelbaugh, Klein, Kress, Macey, Means, Palmiere, Rea and Robinson.

9087-15. Proclamation welcoming the 62nd National Fraternal Order of Police Conference and Exposition to the City of Pittsburgh and Allegheny County, August 9th through the 13th, 2015 at the David L. Lawrence Convention Center, and congratulating the National Fraternal Order of Police upon the occasion of its 100th Anniversary. Sponsored by Council Members Ellenbogen, Baker, DeFazio, Finnerty, Futules, Green Hawkins, Heidelbaugh, Klein, Kress, Macey, Martoni, Means, Palmiere, Rea and Robinson.

9088-15. Certificate of Achievement awarded to Carnegie Mellon University's Small-Size Robot Soccer Team, the CMDragons, for winning its fifth World Championship at the 2015 RoboCup in Heifi, China. Sponsored by Council Members Finnerty, Klein and Robinson.

9089-15. Proclamation congratulating the Pittsburgh Passion Women's Football Team for winning the 2015 Independent Women's Football League World Championship. Sponsored by Council Members Finnerty, Baker, DeFazio, Ellenbogen, Futules, Green Hawkins, Heidelbaugh, Klein, Kress, Macey, Martoni, Means, Palmiere, Rea, Robinson and the Chief Executive.

9090-15. Proclamation congratulating Meghan Klingenberg, a native of Gibsonia, Pennsylvania, for winning the 2015 FIFA Women's World Cup Championship as a member of the U.S. Women's National Soccer Team. Sponsored by Council Members Heidelbaugh, Rea, Means, Baker, DeFazio, Ellenbogen, Finnerty, Futules, Green Hawkins, Klein, Kress, Macey, Martoni, Palmiere and Robinson.

9091-15. Proclamation recognizing Zack Abel for battling cancer and giving back to the community by establishing an annual 5-mile Make-A-Move Race benefiting the children of Make-A-Wish Greater Pennsylvania and West Virginia. Sponsored by Council Members Heidelbaugh and Rea.

9092-15. Certificate of Achievement presented to Shaler Area High School senior David Berdik for earning 1st place in the Desktop Application Programming category at the Future Business Leaders of America 2015 National Leadership Conference. Sponsored by Council Members Kress and DeFazio.

9093-15. Certificate of Recognition congratulating Aspinwall Police Chief John Sabol upon the occasion of his retirement after 38 years of dedicated public service. Sponsored by Council Member Kress.

9094-15. Certificate of Achievement recognizing the Veterans of Foreign Wars Post 914 Intrepid West Mifflin for receiving an "All-State" designation for its support of the VFW mission to help veterans and their families. Sponsored by Council Member Macey.

9095-15. Proclamation honoring Kurt Kondrich and his daughter, Chloe, for being named finalists for the 2015 Health Care Heroes Awards, a program honoring individuals and organizations in western Pennsylvania's health care industry. Sponsored by Council Members Macey, Baker, DeFazio, Ellenbogen, Finnerty, Futules, Green Hawkins, Heidelbaugh, Klein, Kress, Martoni, Means, Palmiere, Rea and Robinson.

9096-15. Certificate of Recognition presented to Ms. Charlene Flaherty upon the occasion of her retirement after 43 years of dedicated service to the John J. Kane Regional Centers. Sponsored by Council Member Macey.

9097-15. Certificate of Recognition presented to Mr. and Mrs. August and Betty Ann Thalman upon the occasion of their 65th wedding anniversary. Sponsored by Council Member Macey.

9098-15. Certificate of Recognition presented to Mr. and Mrs. Bill and Pat Leonard upon the occasion of their 60th wedding anniversary. Sponsored by Council member Macey.

9099-15. Certificate of Recognition presented to Mr. and Mrs. Edward and Virginia Moore upon the occasion of their 50th wedding anniversary. Sponsored by Council Member Macey.

9100-15. Certificate of Recognition presented to Mr. and Mrs. Ronald and Carol Roney upon the occasion of their 50th wedding anniversary. Sponsored by Council Member Macey.

9101-15. Certificate of Recognition thanking the Baldwin Borough for hosting its annual Community Day celebration on August 1st, 2015. Sponsored by Council member Palmiere.

9102-15. Proclamation congratulating Ms. Janet K. Williams upon the occasion of her retirement after 21

years of dedicated service to the Wilkinsburg Family Support Center. Sponsored by Council Member Robinson.

PRESIDENT DEFAZIO: Public Comment on Agenda Items. Joni Rabinowitz.

MS. RABINOWITZ: Hi. I'm Joni Rabinowitz. My address is 7721 Edgerton Avenue, Pittsburgh, 15221.

I'm here to oppose the reappointment of Chip Babst to the Air Pollution Control Advisory Committee.

Reminiscent of the fox watching the henhouse, this appointment, at minimum, is a not too subtle way to bring the polluting industry into the ACHD's decision making, to use the industry in the person of Chip Babst to minimize the clean-up of the air around Shenango and, by extension, all polluting operation.

How could a lawyer whose job it is to protect and defend its client, DTE Shenango Works, possibly have the interests of the public in mind?

Babst Calland came into the environmental law field when they saw the excitement around the Marcellus and Utica shale plays, and they continue to expand their work for this industry.

Shenango is appealing 114 new violations issued by the ACHD about their air pollution. Now, wouldn't there be some conflict of interest here with Babst being the lead attorney for Shenango in its ongoing battle with the Allegheny County Health Department? Duh.

Come on now, this isn't rocket science, but I'll spell it out anyway. Chip Babst is one of the main contributors to Fitzgerald's war chest. Babst is also employed by a company, DTE Shenango, which has refused for years to clean up our air. Babst is also a member of the advisory committee charged with cleaning up our air. Fitzgerald wants the industry to continue its main role in determining our position towards their polluting.

Nothing can be more clear. They scratch each other's back and the people suffering from asthma in the Avalon area can go fly a kite.

The bottom line is this. Do we want to truly fight this flagrant practice by Shenango? Or to continue having an F from the American Lung Association, being 10th of all cities in the country for air pollution as found by the Breathe project and having the asthmas rate in Northgate being twice the average in the state?

Mr. Babst should perhaps give his legal talents to some of the small grassroots organizations fighting for

the citizens instead of for huge law firms who represent the industry.

(Applause.)

PRESIDENT DEFAZIO: Thaddeus Popovich.

MR. POPOVICH: My name is Thaddeus Popovich and I live at 6606 Virginia Avenue in the Borough of Ben Avon. I am co-founder of ACCAN, Allegheny County Clean Air Now.

I'll state it once and I'll state at the end, please do not vote for the renomination of Chester Babst to the Air Pollution Control Advisory Committee of the Allegheny County Health Department.

I live one-half mile across the Ohio River from the Shenango Inc. coke plant pictured in your handout. This photo was taken around 8:00 p.m. on June 11th, 2015. There was a power outage. Raw coke oven gas was flared and other toxic unprocessed emissions were released for about an hour. This was one of the four outages reported just between May 27th and June 15th of this year.

Now, let's roll this tape back to earlier this year when ACCAN had one of its periodic meeting with the Health Department. We were told that the Health Department was spending too much time on us, and that there were 1.2 million people in Allegheny County who deserved its attention. Wow. When we asked why the Health Department would not tighten up on air regulations we were told that industry would be all over them if that happened. Another wow.

The purpose of the Air Pollution Control Advisory Committee is to recommend to the Board of Health additions and changes to the rules and regulations and to advise the Department and the Board of Health on matters relative to the management of air quality in Allegheny County.

Currently, Chester Babst is the vice chair of this committee. Do you think his presence may have a chilling effect on how health department personnel enforce regulations? No. Babst Calland, a 100 attorney firm where he is a senior partner, is defending Fortune 500 company DTE Shenango in a citizens lawsuit filed by GASP. GASP found the latest consent decree between ACHD and Shenango lacking.

Do you think that ACHD is underfunded and understaffed if it only has one lawyer to address air issues and only enough inspectors to observe Shenango during the daylight shift five days a week? We, in Ben

Avon, watch Shenango do their dumping on weekends and off times.

Chester Babst is not helping the Health Department do its work to protect the citizens of Allegheny County. He is in conflict with protecting the health of citizens while protecting the interests of a major air polluter in Allegheny County. Thank you.

(Applause.)

PRESIDENT DEFAZIO: The next one is --- that's supposed to be with non-agenda items, so we'll move that to the end. We'll move down to Barbara Pace.

MS. PACE: My name is Barbara Pace. I currently live at 250 Nazareth Way, ZIP Code 15229. It's a senior citizen high rise. We bumped out old nuns and now we old farts live there.

In Sunday's PPG newspaper in the forum, Section D, there was an excellently written article by a surgeon who chose to leave Pittsburgh to practice medicine as he did not want to betray his patients. Dr. Quigley believed that the health industry was requiring him to compromise his ethics for the sake of monetary rewards.

Our world, our City, our County, more specifically Allegheny County Council, needs more personnel who will not betray their residents as they were elected to protect clean air and water.

I cannot fathom how Mr. Babst can lay his head down at the end of the day, go to sleep and not be besieged with guilt while trying to serve two masters.

How could he remain objective when he's a lawyer working for Shenango Coke Works DTE on Neville Island? The group, Allegheny County Clear Air Now, ACCAN, which I'm proud to be one of the original grassroots organizers, is participating in a lawsuit brought by the industrious historic environmentalist group against smog and pollution, GASP, against DTE.

It's utterly without any rational reasoning that he should have ever been appointed in the first place, let alone be reappointed.

Pope Francis Encyclical has been in the media for weeks advocating for equal justice and strongly supporting climate controls. Our Mayor Peduto spoke on 95 FM radio just yesterday referencing how in Mayor Lawrence's day the City was totally geared for the automobile industry restricting access, separating communities in half, eliminating walkways which had been

made so much more difficult today as we try to advance with other modes of transportation like bike lanes.

Industry, whether it's the auto or coke, needs to be controlled by objective, long-range caring folks. I left the City of Pittsburgh in 2007. My tiny room home in the region dedicated will allow me to have low interest loans to repair my roof and get new windows. I was unable, as a single mother, to try and sleep any longer with a butcher knife under my pillow because of extreme fear. What I thought a five foot, little, old gray haired lady was going to do with a knife is laughable and sad at the same time. I had a SWAT team on my roof and in our trees. I had pit bulls being tortured next door. When I left for work the next day, there were dead birds on my porch. My son and I received custody of his ninth grade son and we chose the school district Avonworth in hopes of a safer life. It was shortly after my 92-year old father beginning stages of dementia moved in with me that I mistakenly blamed him for the terrible odors that were wrecking havoc on our lives, but I investigated more thoroughly and discovered it was Shenango Coke Works that was producing that terrible stench.

Mr. Babst's biggest client was drastically affecting our quality of life. I left one danger for the unequal justice leveler of a major polluter to now risk our health and resale value of our home.

If this were a TV channel, I'd change to a different station, but this is my life.

(Applause.)

PRESIDENT DEFAZIO: Mark Dixon.

MR. DIXON: Hello. My name is Mark Dixon. I live at 827 North Sheridan Avenue, Pittsburgh, Pennsylvania, Highland Park. I am a board member of the Thomas Merton Center, but I do not speak on their behalf today.

On Saturday, this past weekend, I was awoken not by birds chirping, not by the rising sun. My nose woke me up and alerted me to acrid, nasty, industrial smells throughout the house. I hopped out of bed and rushed to close all the windows. Then I grabbed this (indicating) and turned it on full blast. This makeshift air filter supposedly eliminates most of the airborne particulates in about 45 minutes. Last weekend it did a better job of cleaning my air than our very own Allegheny County Health Department which held the reins during not one, but three

officially unhealthy air days this past week. You can see the photos right there.

We're perennially forced to breathe air filled with poorly regulated pollutants. How poorly regulated? Did you know that Allegheny County Health Department Rules and Regulations, Article 21, Air Pollution Control Ordinance 16782, states that no person shall operate or allow to be operated any source in such manner that emissions of malodorous matter from any --- from such source are perceptible beyond the property line of such source. I read that as if I can smell it, it's illegal.

So was last weekend's smell illegal? My nose thinks it was. Happily, that same ordinance allows you to revoke a permit, force a person to cease the activity causing endangerment and initiate criminal proceedings, among other remedies. That's great. The only problem is an ACHD representative claims that it is hard to prove that a smell comes from a place. Apparently, the lawyers are looking into the issue.

While lawyers examine smelling techniques, lives are threatened by poor regional air quality today. Furthermore, many of our smelliest polluters are fossil fuel based industry that contribute abundantly to the climate crisis. These things are stealing life and livelihoods from current and future generations for what, convenience? Your elected offices commit you to a life of public good. Today, you have an opportunity to proactively put service ahead of convenience as you consider the renomination of Chester Babst to the Allegheny County Health Department's Air Pollution Control Advisory Committee.

I implore you to reject him for the nomination. His law firm calls itself the preferred shale law firm in the region, and he's represented the Shenango Coke Works against a citizen lawsuit filed by GASP. These are both prominent sources of industrial air pollution, and I consequently believe his career legacy has moved our region in the wrong direction. My nose also tells me we need new leadership. I ask you, will you commit to fix our air quality and make my humble air filer obsolete? Or is this contraption a sign of things to come? Your vote today will declare your true allegiance. Do you stand for the common good or for private polluters? My nose awaits your response.

(Applause.)

PRESIDENT DEFAZIO: L. Ray Roberts.

MR. ROBERTS: My name is Ray Roberts and I live in Highland Park, District --- Council District 10. And I appreciate you holding this hearing, but I have to be here tonight, and there are other things I'd much rather be doing. No offense to you, but I really --- having to come down here in order to speak against Chester Babst being named to the Advisory Committee for Pollution Control for the Allegheny County Health Department is something that I really --- I had to be here to do.

Last year I had my first and my second and my third asthma attacks. I've never had asthma before in my life. This is a very personal issue to me. And this year I've had one asthma attack so far. And it has been recently, because I believe, of the air pollution. When I was growing up, I grew up --- and my mom had grown up on a farm, a working farm, and she very much believed in making sure I learned the values of hard work. And so one of my first chores --- even though we didn't live on a farm, we had chickens and I would go out and I would pick up the eggs from the chickens. And I can still remember when it wasn't a fox, it was a skunk got into the chickens, got into the eggs and really, I mean, the skunk was not scared of the chickens, but we lost a bunch of eggs. We lost one chicken. And it is something that I still remember because you don't put an opening for a skunk to get into the henhouse.

And this is opening the door for Chester Babst, who is a lead attorney defending the Shenango Coke Works. You've got a lawsuit filed by GASP under the Clean Air Act, and he's the lead attorney. And you've got --- he's a campaign contributor to Rich Fitzgerald. So please do not put this person in charge of the rules for our air. I don't want my kids developing asthma like I have developed. And this really is a question that you have control over. So don't put the skunk in charge. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Angelo Taranto.

MR. TARANTO: President and Members of Council, thank you for this opportunity to address you. My name is Angelo Taranto and I live at 11000 --- oh, sorry. My name is Angelo Taranto and I live at 11000 Park Plaza Drive, Apartment 11302 in Ross Township, 15229.

I am a member of Allegheny County Clean Air Now, ACCAN. I am here to request that you reject the renomination of Chester Babst to the Air Pollution Control Advisory Committee of the Allegheny County Health Department.

ACCAN is a grassroots organization made up of residents who live downwind from the DTE Shenango Coke Plant on Neville Island. Our members all have concerns about the health and quality of life impacts of the emissions from this coke plant. A few of our members have relatively recently moved to the Pittsburgh area from other places. They regret having moved here. No one ever told them about the pollution coming from this coke plant. They feel that the amenities that Pittsburgh has to offer are not worth endangering their health or the health of their children.

Among this group of people is a couple who relocated here from the Minneapolis/St. Paul area, which has approximately twice the population of the Pittsburgh Metropolitan area, but with much cleaner air. After moving here, they discovered that they could not spend time outdoors on days when the coke plant's emissions and odors were high. Then their health began to deteriorate and their elderly parents suffered health consequences when they visited them here. How do you expect to attract and keep new residents if this is their experience?

Most of our members are longtime Pittsburgh residents. These residents can't understand why our county leaders don't put Pittsburghers' health first by strictly enforcing air quality regulations on plants like the DTE Shenango Coke Works. Pittsburgh can only benefit by addressing our air pollution problems to make it a healthier place for all of us to live.

GASP has filed a citizens' lawsuit against DTE Shenango under the Clean Air Act. GASP believes the consent decree between the Health Department and the company to be lacking. Chester Babst heads Babst Calland, a leading law firm representing polluting industries, and he is the lead attorney defending DTE Shenango against this citizens' lawsuit. This is a clear conflict of interest between his representing DTE Shenango in this lawsuit and his renomination to the Health Department's Air Pollution Control Advisory Committee. Therefore, we are asking that you --- to reject his renomination. Thank you.

(Applause.)

PRESIDENT DEFAZIO: 9117-15, and the rest in that group can be read all at once.

MR. CATANESE: 9117-15, 9118-15, 9119-15 and 9120-15. Motion to approve the minutes of the Regular Meeting of the Allegheny County Council held on June 2nd, June 16th, July 1st and July 7th, 2015.

MR. MACEY: Make a motion to approve.

(Chorus of seconds.)

MS. HEIDELBAUGH: She (indicating) didn't get to speak.

PRESIDENT DEFAZIO: Who said that?

MS. HEIDELBAUGH: (Indicating.)

PRESIDENT DEFAZIO: She was in the wrong group they told me. She was on our form, but they told me it was the wrong group.

MR. CATANESE: You're under a different topic, though. It would be the non-agenda items.

MS. KREBS: He changed that.

MR. CATANESE: I've got two here. This is what came through.

MR. MCKAIN: She's number three on the list.

PRESIDENT DEFAZIO: I know. She's in the wrong spot.

MS. HEIDELBAUGH: Are you talking about Chester Babst?

MS. KREBS: Yes, ma'am.

MS. HEIDELBAUGH: She wants to talk about Chester Babst.

PRESIDENT DEFAZIO: She didn't sign up, they said.

MR. CATANESE: Well, the sign-up request sheet shows Council structure.

MS. KREBS: Sir, I spoke to Aaron Pitman and I realized the error that I made.

MS. REA: Joe.

MR. CATANESE: No problem.

MS. KREBS: And he said there was a time frame, that I called in plenty of time to change it.

PRESIDENT DEFAZIO: Does anybody have a problem with letting her speak now?

(Chorus of no's.)

MS. REA: Joe?

PRESIDENT DEFAZIO: Go ahead.

MR. CATANESE: Yes, Councilwoman Rea.

PRESIDENT DEFAZIO: Go ahead.

MS. REA: I'm having a hard time hearing.

MR. CATANESE: Okay.

MS. REA: If they could speak up, please. If they can speak up.

PRESIDENT DEFAZIO: Okay. We had a motion and a second on the issues. All those in favor signify by saying aye.

(Ayes Respond.)

PRESIDENT DEFAZIO: Opposed? The ayes have it. Okay. Go ahead.

MS. KREBS: Hello. Oh, I'm sorry. Hi. I'm Kathleen Krebs. I reside on the North Side, Pittsburgh, 15212.

I'm also a member of ACCAN, Allegheny County Clean Air Now. And I also am here to oppose the appointment of Chester Babst to the Air Quality Advisory Committee.

It's been my understanding in health care and other areas of my adult life that the purpose of an advisory panel is to pull together the best and the brightest in the respective field that you're working in such as scientist, air quality experts, members of the medical community, plus when appropriate, the major contributors of the poor air quality that we sustain here in our community, with the goal being to negotiate, debate and resolve the very best standards of industry practice which would improve, obviously, the air quality.

For me it boils down to this. Does Chester Babst provide added value to this process being on the Advisory --- Air Quality Advisory meeting? Emphatically, no, he does not. As a DTE Shenango litigator for the pending lawsuit, does he have a conflict of interest? You bet he does. Any rational person can recognize that there is a conflict.

Should Chester Babst recuse himself from this vote? Absolutely, from my perspective. I believe it is immoral and unethical that Chester Babst has been on this panel, and that this vote tonight is actually a reappointment vote. I was unaware that he was actually previously on or currently on. And you better believe that this is important, especially for anyone who wants to breathe clean air.

So my point is how did Chester Babst get on this panel in the first place? I would say to you ask the

County Executive and the Administration of the Air Quality Program at ACHD. They continually disappoint and I wish that it were different, and I really hope tonight that you all will do the right thing. And thank you for letting me come up.

(Applause.)

PRESIDENT DEFAZIO: Okay. 91 ---.

MR. CATANESE: Mr. President, we need to approve those minutes.

PRESIDENT DEFAZIO: Yeah, we did.

MR. CATANESE: We said there was a motion and a second, and then there was a point of order. I don't remember anybody saying ---.

PRESIDENT DEFAZIO: No. No. Yeah, we voted.

MR. ELLENBOGEN: No, we voted.

MR. CATANESE: Okay.

PRESIDENT DEFAZIO: We approved it. Believe it or not, we approved it. 9103-15.

MR. CATANESE: Approving the appointment of Jim Roach to serve as a member of the Council of Friends Organization, South Park, for a term to expire on August 18th, 2017. Sponsored by Council Member Means.

PRESIDENT DEFAZIO: Ms. Means? Sue?

MS. MEANS: I just want to say that unsolicited I had several recommendations about Jim Roach and what a hard worker that he is and a man of integrity. And I think he's going to be a great addition to the Friends of South Park.

MR. ELLENBOGEN: Second.

PRESIDENT DEFAZIO: You made a motion?

MS. MEANS: Can I make a motion?

PRESIDENT DEFAZIO: Yeah.

MS. MEANS: I make a motion in support.

PRESIDENT DEFAZIO: And he seconded it. Any remarks? Seeing none, all those in favor signify by saying aye.

(Ayes respond.)

PRESIDENT DEFAZIO: Opposed? The ayes have it. 9104-15.

MR. CATANESE: Approving the reappointment of Chester Babst to serve as a member of the Air Pollution Control Advisory Committee for a term to expire on December 31st, 2015. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That's being sent to the Appointment Review Committee.

MS. REA: Correct.

MR. CATANESE: That's correct.

PRESIDENT DEFAZIO: That would be Jan Rea's chair. Okay. 9105-15.

MR. CATANESE: Approving the reappointment of Janet Craig to serve as a member of the Agricultural Land Preservation Board for a term to expire on December 31st, 2017. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That'll go to the Committee on Appointment Review. 9106-15.

MR. CATANESE: Approving the reappointment of Deborah Lange to serve as a member of the Conservation District Board for a term to expire on December 31st, 2018. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That'll go to the Committee on Appointment Review. 9107?

MR. CATANESE: Approving the appointment of Anthony J. Ross to serve as a member of the Regional Asset District Board for a term to expire on December 31st, 2015. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That'll go the Committee on Appointment Review. 9108-15.

MR. CATANESE: Approving the appointment of Keith Kaufold to serve as a member of the Drug and Alcohol Planning Council of Allegheny County for a term to expire on December 31st, 2017. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That'll go to the Committee on Appointment Review. 9109-15.

MR. CATANESE: Approving the appointment of Jason Snyder 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: That'll go the Committee on Appointment Review. 9110-15.

MR. CATANESE: Would you like me to take those seven in --- they're all for the same committee.

PRESIDENT DEFAZIO: Yeah. You can do it all at once, yeah.

MR. CATANESE: Okay. 9110-15, 9111-15, 9112-15, 9113-15, 9114-15, 9115-15 and 9116-15. It's approving the reappointment or appointment of Carmen Burrell, Floyd Cephas, Ward Garner, Mary Ann Snyder (sic), Dr. Fengyan Tang, M. Francesca Chervenack and James Fawcett to serve as members of the Area Agency on Aging Advisory Council

for a term to expire on December 31st, 2017. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That'll go the Committee on Appointment Review. 9116-15.

MR. CATANESE: That was already done. That was one of those ones ---.

PRESIDENT DEFAZIO: Oh, wait.

MR. CATANESE: He was the last one.

PRESIDENT DEFAZIO: That was the last one?

MR. CATANESE: Yes.

PRESIDENT DEFAZIO: Are we on new business?

MR. CATANESE: Unfinished business.

PRESIDENT DEFAZIO: Okay. Committee on Budget and Finance, Second Reading. 9066-15.

MR. CATANESE: A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2015, Submission 06-15. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That'll go --- that's our second reading?

MR. CATANESE: Yes.

PRESIDENT DEFAZIO: Mike?

MR. FINNERTY: Thank you, Mr. President. This was released from the Budget and Finance Committee with a positive recommendation, unanimously voted. I move for approval.

MR. MACEY: Second.

PRESIDENT DEFAZIO: Under remarks? Seeing none, we'll take the vote.

MR. CATANESE: Mr. Baker?

MR. BAKER: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

MR. CATANESE: Ms. Klein?

MS. KLEIN: Yes.

MR. CATANESE: Mr. Kress?

MR. KRESS: Yes.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Martoni?  
DR. MARTONI: Yes.  
MR. CATANESE: Ms. Means?  
MS. MEANS: Yes.  
MR. CATANESE: Mr. Palmiere?  
MR. PALMIERE: Yes.  
MR. CATANESE: Ms. Rea?  
MS. REA: Yes.  
MR. CATANESE: Mr. Robinson?  
MR. ROBINSON: Aye.  
MR. CATANESE: Mr. DeFazio, President?  
PRESIDENT DEFAZIO: Yes.  
MR. CATANESE: Ayes, 14, no's, zero. The bill

passed.

PRESIDENT DEFAZIO: 8988-15.

MR. CATANESE: An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the acceptance of a donation of materials from the Pittsburgh Penguins Foundation and Highmark, Incorporated for the construction of a deck hockey rink to be located in the County's South Park. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Representative Finnerty or ---?

MR. FUTULES: Mr. DeFazio, the Parks Committee met last week and we recommended with an affirmative recommendation that the full Council approve.

MR. FINNERTY: Make a motion.

MR. FUTULES: I make a motion to approve.

PRESIDENT DEFAZIO: Second? Second. Under remarks? Go ahead, Sue.

MS. MEANS: It would be great to accept this equipment from the Penguins and it's worth, I think, about a quarter of a million dollars, but I have a problem with it because I want to see the details. I want to see --- when we have a contract or a lease that involves County property, I want to see the details because of the Home Rule Charter that says Council powers and duties. I mean, this is what we're supposed to do, accept ordinance, grants, gifts, donations of real and personal property on behalf of the County.

I mean, I want this deck hockey. By ordinance, lease, convey, vacate or abandon or permit the use of the County land. I want to see the devil that might be in the details, but maybe there isn't and everything is perfectly fine.

The other issue I have with this is here it is now in the 11th hour we are having an ordinance to accept hockey equipment that is supposed to be --- the Penguins want it installed by September 1. Now, we have known or somebody has known for a long time that this equipment was coming, but here we are in the 11th hour. We have to vote tonight. And they want to put it in by two weeks. And they took down the old equipment and they numbered it, they stored it, which was wise. So they began prepping and they're going to have to, you know, spend money to fix it, prepare for it. You know, we haven't even voted. So we're being totally disrespected by the administration that here we are in the 11th hour --- let me finish, in the 11th hour getting this ordinance, so ---.

And the other thing that concerns me we need to have a serious discussion about the fees being charged to the leagues who are using the hockey rink which I know is a discussion for another day.

MR. FUTULES: Then why bring it up?

MS. MEANS: But we do because we do need to ask questions. Like how is it going with Settlers Cabin, the other places it's been installed? Is it used? Is it underused? We need to talk about maintenance. And I did attend the meeting so I get to ask more questions. But you know, philosophically, I know you're not supposed to look a gift horse in the mouth, but we're government. We're supposed to be transparent. We're supposed to look in the horse's mouth. Thank you.

(Applause.)

PRESIDENT DEFAZIO: I think Mr. Finnerty, then Mr. Futules.

MR. FINNERTY: Thanks. First of all, we are transparent. That's why we had a meeting in regard to this. And transparency goes both ways. So let's remember that also, as we use that term continually.

What has happened at South Park was that they took down not a deck hockey. It wasn't a deck hockey at all. It was something else that they took down. I can't remember what it was.

MS. MEANS: No, it wasn't.

MR. FINNERTY: But it wasn't deck hockey.

MS. MEANS: Yes, it was.

MR. FINNERTY: They're going to put deck hockey in place of what they took down and they numbered it because they're going to put it somewhere else. So just

make sure everybody understands that it wasn't a deck hockey that they took down.

We have been presented with this, and it was moved out of Committee. And it went through the process and now it's on the floor. And you can disagree with it. That's fine. And I don't have a problem with that. But just make sure that we're talking about something that has been done at Settlers. This isn't the first time. And those things didn't come up before, that you're talking about right now. All of sudden we want to see a contract with the Penguins and Highmark about putting this in? The only thing that I could see that has merit is that we might talk about maintenance, and what it will cost us. I have no idea about that, and I don't think --- I don't know if our Parks Director does either. But it is something that is definitely that is used, and there are deck hockey leagues out there. And I think we should do that for our constituents and the people that are out there and getting themselves in shape by doing this.

Thank you, Mr. President.

PRESIDENT DEFAZIO: Next was Representative Futules and then Mr. Ellenbogen.

MR. FUTULES: Thanks, Mike, for pointing that out. He certainly had all the information that I was going to say, but I will comment. The fact that you talk about the 11th hour, let's try to keep in mind we were on vacation since the beginning of July, and I purposely held a meeting last week so that we could vote on it tonight. Some members objected to us having meetings during our break. But there are times that are necessary for us to come in a week early like we do every year so that we could vote tonight to get this out of the way. So talk about the 11th hour, I mean, you know, we could have done it last week or two weeks ago, but we were on vacation. So that's a moot point, but ---.

And we're not talking about anything except accepting the ice hockey --- or the deck hockey rink at this time. We're not talking about fee structure. We're not talking about anything except that we're going to accept a gift and install for the people in that area. And that's about it.

PRESIDENT DEFAZIO: Representative Ellenbogen, and then go this way.

MR. ELLENBOGEN: Thank you, Mr. President. You know, sometimes when these things happen like this, it's

almost like text messaging somebody. It's real easy to get the wrong meaning of what somebody might mean. I was at the Parks meeting and County Manager McKain and Director Baechle had satisfied any questions that I had. I would ask any Council people that are sitting at this table who may have any doubt or any aspersions that may have been cast or that may have influenced them --- both gentleman are here. I would ask that they would --- if they have any questions to ask them to come to the microphone, if they'd be kind enough, and be satisfied with that as I myself have been satisfied during the committee process. Thank you, Mr. President.

PRESIDENT DEFAZIO: Next was Mr. Macey.

Mr. MACEY: Yeah. Thank you, Mr. President and members of Council. This particular ordinance was introduced in June, and of course, we were on break as was stated. And I see that this particular product that is, you know, given to us as a donation is not the first time this has been done in Allegheny County. We have them in the North Hills. We have one in McKeesport. And for the lack of a better term, it's almost a cookie cutter type of operation. So unless you don't have any faith in the administration, unless you don't have any faith in the directors and those individuals who brought this to us, then I say let's take it. Let's move forward, and let's just add one more amenity to the quality of life for our kids and residents of Allegheny County. Thank you.

PRESIDENT DEFAZIO: Representative Means.

MS. MEANS: Yes. Thank you, Mr. President, for recognizing me. And yes, Mr. Finnerty, it was indeed a deck hockey. It's not --- you know, it's 10 or 15 years old, but that's what they did remove. And it will cost us about, I believe, \$8,000 to prepare to put it in. I would like to know if we have the money in the budget. But it isn't a lack of faith. It's a philosophical checks and balance. Let's look at the details and see if we want to go forward. We can't just --- we're government. We just can't --- I mean, I'm not saying nobody is doing a good job. I'm not saying that people haven't done their homework and that all the Is haven't been dotted and the Ts crossed. I'm just saying there's an element of way too much trust, and we need to check and make sure everything is done properly.

Also, it is the 11th hour. I'm sure that when you look at this, this discussion about accepting this was

going on for a long time before it ended up in an ordinance. And we could have had a meeting in June because we didn't go on vacation 'til ---. But even then, if they wanted it in place by September, when you step back and you look at the big picture, June to August isn't exactly --- and knowing we are going on vacation, the administration should give us a --- these ordinances with more time to look at everything.

It's a philosophical overview. Like I said, I want the deck hockey. It's a good idea. Thank you for allowing me to speak.

PRESIDENT DEFAZIO: Okay. Seeing no more, there was a motion?

MR. FUTULES: I made a motion to approve.

PRESIDENT DEFAZIO: Yeah, and there was a second, so what we'll do is take the roll.

MR. CATANESE: Mr. Baker?

MR. BAKER: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

MR. CATANESE: Ms. Klein?

MS. KLEIN: Yes.

MR. CATANESE: Mr. Kress?

MR. KRESS: Yes.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Martoni?

DR. MARTONI: Yes.

MR. CATANESE: Ms. Means?

MS. MEANS: I'm abstaining because I need more information.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. CATANESE: Ms. Rea?

MS. REA: Yes.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Aye.

MR. CATANESE: Mr. DeFazio, President?

PRESIDENT DEFAZIO: Yes.

MR. CATANESE: Ayes, 13; no's, 0 and one  
absention. The bill passes.

PRESIDENT DEFAZIO: 9043-15.

MR. CATANESE: An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the continued use by the North Hills Council of Governments, hereinafter referred to as the "COG", of a portion of Allegheny County-owned land in North Park as a leaf composting area. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Representative Futules?

MR. FUTULES: Yes. The Committee also approved this with a unanimous --- no, it wasn't unanimous. I believe it was the majority of the Council members for your approval. And I make a motion to approve.

MR. MACEY: Second.

PRESIDENT DEFAZIO: Under remarks?  
Representative Means.

MS. MEANS: I was wondering if anyone from the administration or the Parks Director would be willing to come and answer some questions. And I did attend the meeting. It's up to the President to invite them; correct? I can't invite them.

PRESIDENT DEFAZIO: Yeah, come on. You can come up. Go ahead, Sue.

MS. MEANS: Thank you. How many years has the COG had a leaf composting site at --- in North Park?

MR. MCKAIN: Approximately 15 years.

MS. MEANS: Is this --- did they have a lease agreement before this time?

MR. MCKAIN: Yes, they did.

MS. MEANS: They did? I mean, I think this is a good idea. I just, you know, would like to see the lease agreement. I mean, again, do they have --- who owns the equipment at the leaf compost site? Do we own it or do they own it?

MR. MCKAIN: At the Committee meeting that was asked and answered. It's their equipment and they maintain it.

MS. MEANS: So they maintain it. If someone would get injured using ---.

MR. MCKAIN: They have to provide insurance pursuant to the lease that we negotiate through the Law Department that I sign with them.

MS. MEANS: Okay. So they have promised if someone gets hurt on the equipment that they'll ---.

MR. MCKAIN: I don't know if they promised, but the Law Department has language just like we do in every contract ---

MS. MEANS: Yes.

MR. MCKAIN: --- we sign with insurance requirements.

MS. MEANS: Uh-huh (yes). Uh-huh (yes). So I guess my other question is, you know, in Committee it came up that the Law Department looked over the lease and so everything is fine. Wasn't that what was said in Committee?

MR. MCKAIN: They developed the lease and they presented it to me. When it comes to me --- and it means the Law Department already signs it.

MS. MEANS: Uh-huh (yes).

MR. MCKAIN: When they're comfortable, they send it to me.

MS. MEANS: So again, I'm not able to look at this lease and see if everything is fine.

MR. MCKAIN: Right. That's my role and the Law Department's role. Once it's signed, it's public.

MS. MEANS: Once it's signed. So in other words, on this County Council, we vote for things we don't see and we don't know the details, because that's the way it's done at Allegheny County Council at this present time. We, County Council, have oversight of land usage, and we are being asked to vote on something and approve something we haven't read over and over again.

So I will be abstaining because I'm --- don't have the document in front of me. And I hope that my Council members will eventually join me and decide that they want to fulfill their obligation to the people of Allegheny County and look at the details.

MR. FINNERTY: Excuse me.

MS. MEANS: And people have said that we're just part-time and we don't care. And that's not true. We do care.

MR. FINNERTY: It's not true.

MS. MEANS: And people have said we don't have the staff to look at this document. We can hire somebody. And I --- I've said enough. Thank you very much for recognizing me.

PRESIDENT DEFAZIO: Representative Finnerty.

MR. FINNERTY: I'd just like to say I don't think you should be speaking for us. We all care. That's

why we're here. We care what goes on in this County. I think we've done a tremendous job as we go on caring about what goes on in the County. We also have a Law Department which takes care of leases. Also, if you would have noted what our manager said, once he signs the lease it's public. So you could have gone online and got the lease if you wanted it. Okay? He said it was public. And so that could have happened. And I think it's important as we go on that you refrain from degrading the members of this Council by saying they don't care or we don't care or we're not doing our job. Don't say it. It's not right.

MS. HEIDELBAUGH: Point of personal privilege. There's a violation going on right now.

MR. FINNERTY: Okay.

MS. HEIDELBAUGH: I would ask the President to stop it.

MR. FINNERTY: That's all I'm saying.

MS. HEIDELBAUGH: One member of Council degrading another member of Council, that's inappropriate. And that's the comment I was going to make. Whenever someone on this Council, ---.

MR. FINNERTY: I still have the floor.

MS. HEIDELBAUGH: I'm making ---.

MR. FINNERTY: I still have the floor.

MS. HEIDELBAUGH: I'm asking for a point of personal privilege.

MR. FINNERTY: Oh, no. You don't have a personal privilege over when I have the floor.

MS. HEIDELBAUGH: Yes, I ---.

MR. FINNERTY: You can have it after.

MS. HEIDELBAUGH: You don't have the floor when I'm making ---.

PRESIDENT DEFAZIO: Whoa. Whoa. Whoa.

MR. FINNERTY: You don't have the floor.

MS. HEIDELBAUGH: You're not the president.

PRESIDENT DEFAZIO: First of all, ---.

MR. FINNERTY: You don't have the floor.

MS. HEIDELBAUGH: You're not the president.

PRESIDENT DEFAZIO: Hold it. Hold it. If he's speaking, and I grant the privilege, then you can speak.

MS. HEIDELBAUGH: Well, I'd like you to grant the privilege.

PRESIDENT DEFAZIO: Well, wait a minute. I want to let him finish first. Then I'll let you speak next. Okay?

MS. HEIDELBAUGH: So you're going to allow him to continue to degrade another member of Council?

PRESIDENT DEFAZIO: If he starts degrading someone, I'll stop him.

MS. HEIDELBAUGH: That's what he just did.

MR. FINNERTY: I ---.

PRESIDENT DEFAZIO: He's only saying it isn't true about being --- not caring and different things. I think he's right about that. We all seem to care; don't we? Go ahead. Continue.

MR. FINNERTY: Yeah. That's all I'm saying. I'm not degrading anybody. I'm saying that what has happened here is somebody speaking for all of Council, and saying that, hey, you don't care. You're not doing your job. That is not what's going on. I think I do my job. I think people here care. I don't think that should come up, and it shouldn't be said. And I have not degraded anyone. I'm just stating a fact. That will be in the minutes, that it was said. Thank you very much.

PRESIDENT DEFAZIO: Okay. You have the floor. But before you go, he wasn't degrading. He was saying that it isn't true what she was saying. So now I'll give you the floor. If you want to make a statement on something, go ahead.

MS. HEIDELBAUGH: Thank you. Almost every single time someone on this Council disagrees with the prevalent viewpoint, Mr. Finnerty makes a personal attack of them. I was the subject, without being stated, of a personal vitriolic attack that went on for almost 15 minutes at the last Council meeting. I'm asking the President of this Council ---.

PRESIDENT DEFAZIO: Heather, we're talking about her issue ---.

MS. HEIDELBAUGH: I'm asking the President of this Council on the TV camera, on the record, to ask Mr. Finnerty to be professional, to keep it to the issues. And when someone disagrees, even if it's a black and white disagreement, let the disagreement go and don't turn into a personal thing. He is an affront to this ---

PRESIDENT DEFAZIO: Hold it.

MS. HEIDELBAUGH: --- Council.

PRESIDENT DEFAZIO: Okay. Stop. Look. He gave his opinion that everybody on Council does care. Okay? I don't see what you're talking about. And we're talking ---.

MS. HEIDELBAUGH: Everybody else sees it.  
Everybody else ---.  
PRESIDENT DEFAZIO: I don't think everybody else  
sees it. Take a vote and you'll see yourself.  
MS. HEIDELBAUGH: I'll take a vote right now.  
PRESIDENT DEFAZIO: Yeah.  
MS. HEIDELBAUGH: Mr. Finnerty is degrading.  
PRESIDENT DEFAZIO: Yeah.  
MS. HEIDELBAUGH: Look at the hands.  
PRESIDENT DEFAZIO: You're not there.  
MR. FINNERTY: Who cares what --- you know  
they're going to agree with you. I think she's out of  
order.

PRESIDENT DEFAZIO: Well, she is out of order  
now. Okay. Next --- no. Next was you (indicating). Do  
you want to ---?

MR. KRESS: Yeah.

PRESIDENT DEFAZIO: What? Go ahead.

MR. KRESS: On our favorite topic, compost.

PRESIDENT DEFAZIO: Okay. Hold up.

MR. KRESS: I actually went out there myself to  
actually inspect this here because I knew this was going  
to be this big brouhaha over a compost pile. And I guess  
some of the words probably end up deserving to be at the  
compost pile. And I guess we could actually generate some  
of these things up there. But I actually went out and  
inspected it. And I actually went out there and saw --- I  
actually spoke to Wayne Roller of the Council of  
Governments from the North Hills. I had some questions.

First of all, it's a great program. It provides  
this material for communities. There's a number of  
participating communities in there. It is Etna, Indiana,  
Franklin Park, Hampton, Ross, McCandless and West View.  
And what they do is they bring their grass clippings and  
the leaves up there, and it eventually develops into  
compost, and they can come up there and take their  
compost. But all the communities in the Council of  
Governments can use it.

Now, I know McCandless Township supposedly lets  
their citizens, their residents take the compost for their  
personal use. But also, with the compost itself, the  
Government uses it along the rural roads, they said, to  
help with growing the grass. So this is good. So it  
improves the community. We're taking things, we're  
recycling it.

So I think it's a great thing. So I mean, actually, I did my due diligence. I went out there and took a look at the place. It's a flat area. I spoke to Wayne Roller. They've used state grant money to eventually flatten the area out. I think years ago it was just used as a dump, so now we're doing something that's positive for the community. So I have no problems with this, but there's a --- more of a generalized question to our Parliamentarian, Mr. Cambest. Is it within the power of County Council to approve contracts and leases?

MR. CAMBEST: I think the language of the Home Rule Charter is very clear. You accept or reject by ordinance any grant, gift or donation as indicated by the County Manager. It's the executive and administrative part of the --- part of the government that actually negotiates the lease. I mean, we saw that with the Marcellus shale issue.

We only have certain powers to accept or reject. We don't have powers to condemn. We can't say whether or not we're going to condemn a piece of property or what amount of money we're going to pay. That's up to the legal department and the directors that fall within that.

So to answer your question, all we do is accept or reject.

MR. KRESS: Just we're basically permitting the use through the ordinance; correct?

MR. CAMBEST: That's it.

MR. KRESS: Okay.

MR. CAMBEST: We don't negotiate.

MR. KRESS: So in your eyes, if we didn't review the lease, would we not be performing our due diligence?

MR. CAMBEST: Sure, you would.

MR. KRESS: No, I'm asking a question. Do you we need --- as the County Council, do we need to review all these leases?

MR. CAMBEST: You don't have the power to do it.

MR. KRESS: Okay.

MR. CAMBEST: If you need to do that, you can go to a committee meeting and ---

MR. KRESS: Right.

MR. CAMBEST: --- ask for it. As Mr. Finnerty indicated, if it is a public document, if you're getting any static at all, you file a Right to Know request. They have to give it to you within ---

MR. KRESS: Right.

MR. CAMBEST: --- five days. You have all kind of alternative methods to get that information.

MR. KRESS: And here's the point of this whole thing, is that --- the Marcellus gas lease, that was important. We had to look and review that because we were actually preventing use for a very important thing. It was going to bring money into the County. And there was many things involved with it.

But here, in this instance, we're just dealing with a compost pile.

MR. CAMBEST: If you want to have a public hearing ---

MR. KRESS: Yeah.

MR. CAMBEST: --- about what they do with compost, I guess you could do that.

MR. KRESS: Right. But I mean, this is something that's been in effect for what, 15 years? It's benefiting ---.

MR. CAMBEST: Longer than that.

MR. KRESS: Yeah. It's been benefiting the community in our area. I'm for it because it benefits the people in my area. And also, I'm the only one that went out there and actually took a look at this place. I spoke to the Council of Governments. They're in favor of this. I see --- even if we actually had the lease in front of us, I see no downside to this whatsoever. I think we're only paying a dollar. Again, this is something that the people in my community are getting a benefit from. So I have no qualms or concerns about this whatsoever.

So I'm going to support this tonight. Thank you.

PRESIDENT DEFAZIO: Sue, did you have a question?

MR. MACEY: Me.

PRESIDENT DEFAZIO: Oh, I'm sorry. I'll stop. Representative Macey. I couldn't see you. You've got your --- that there invisible thing on. Go ahead.

MR. MACEY: Oh, yeah. Well, thank you, Mr. President and members of Council. I find it interesting that we're going on and on about a compost pile that I think is, you know, quite beneficial as Councilman Kress has said. And you know, we have a process, a vetting process, and we have committee meetings. And at those committee meetings --- and this is for the general public

--- that's where we discuss. That's where the questions are answered for those who attend those meetings, that is.

However, when you look at the ordinance being introduced in June, I think there's plenty of time to ask questions. I think there's plenty of time to try to get some of your questions answered.

However, I think there are people that are directors. There are people in the law department. There are people who manage these projects and manage these processes. So let the directors direct, let the managers manage, and let's get on with it. My goodness, it's a compost pile. And I'm sure that if people from the Mon Valley want to go up and get some compost, they could go up to North Park and get it. Thank you very much.

PRESIDENT DEFAZIO: Representative Means, and then I think you had your hand up.

MS. MEANS: Yes. First, I'd like to apologize to Mr. Finnerty because I didn't mean to imply that he didn't care. The words I used were --- and I believe this is correct --- that some people say we don't care because we're part-time. And I said we care. So I'm sorry if you were offended, but I said that we, as a body, do care.

And then I would like to point out and disagree with Mr. Cambest because I have in front of me the Home Rule Charter that says executive powers under number --- Article Number Five, that the County Executive --- under Executive Powers and Duties, the County Executive is to negotiate, award, sign or cause to be negotiated, awarded and signed on behalf of the County all contracts, agreements and other instruments except --- the word except --- and I'm not an attorney, but I think I know what except means --- as provided in Article Four, Section Two, JNK.

And then we go to Home Rule Charter, Article Four, Powers, Council Powers and Duties. And we say what the except means is JNK. Except by ordinance, grants, gifts, donations or real and personal property on behalf of the County by ordinance. So it would be except by ordinance, lease, convey, vacate, abandon or permit the use of County land --- permit, oh, except, okay --- buildings or other real and personal property.

And this isn't about a compost pile. The compost pile is a great idea. What this is about is the powers of Council to look at leases and contracts. That's what this is about. So I thank you very much for allowing

me to speak again. I hope, Mr. Finnerty, you will accept my sincere and great apology.

MR. CAMBEST: Mr. President. Mr. President.

PRESIDENT DEFAZIO: Yes.

MR. CAMBEST: I don't believe we ever said you didn't have the right to look at it. You don't have the power to negotiate the lease.

MS. HEIDELBAUGH: We're not saying that.

MR. CAMBEST: You have the power under the Home Rule Charter to accept or reject or approve or deny the ordinance that's brought before you that deals with the lease. So let's get that straight. That issue was done back in the early 2000s.

PRESIDENT DEFAZIO: Representative Heidelbaugh?

MS. HEIDELBAUGH: Yes. I am a lawyer, and Ms. Means is right and Mr. Cambest is incorrect.

MR. CAMBEST: Well, you can always file some kind of action if you believe that's correct.

MS. HEIDELBAUGH: No. I don't need to file any action. I'm a member of Council.

PRESIDENT DEFAZIO: All right.

MS. HEIDELBAUGH: Excuse me. I have the floor.

PRESIDENT DEFAZIO: Okay. Just wait a minute. Just hold it a minute.

MS. HEIDELBAUGH: I was recognized, and he's disagreeing with me.

PRESIDENT DEFAZIO: You can have your opinions, but everybody else has theirs, too. Go ahead.

MS. HEIDELBAUGH: Well, exactly. That's what I'm saying. My opinion as a lawyer is Sue Means is right and Mr. Cambest is wrong. That's my opinion.

MR. CAMBEST: So we can agree to disagree.

MS. HEIDELBAUGH: And I have the floor, and you shouldn't be disagreeing with me.

MR. CAMBEST: I asked the President and he --- and I'm addressing him.

MS. HEIDELBAUGH: I'm speaking, Mr. Cambest.

MR. CAMBEST: I'm addressing the President.

PRESIDENT DEFAZIO: Okay, Heather.

MS. HEIDELBAUGH: You're being disrespectful ---

PRESIDENT DEFAZIO: Okay, hold on.

MS. HEIDELBAUGH: --- to a member of this Council.

PRESIDENT DEFAZIO: Heather.

MR. CAMBEST: I think a lot of people on this Council are being disrespectful.

PRESIDENT DEFAZIO: Heather. Can I say, Heather, you could be 1,000 lawyers and attorneys. I'm the President. I usually --- to be honest with you, I make the final decision. But I usually go along with the Parliamentarian. He's made a statement, which I agree. We were talking about contracts and that. We approve something, yes or no. But the signing and negotiating the contracts is not our job. That's what he was saying. Okay?

MS. HEIDELBAUGH: That's not what he was saying. May I please finish what I was going to say?

PRESIDENT DEFAZIO: Go ahead. Finish and then we'll have him finish.

MS. HEIDELBAUGH: Thank you.

PRESIDENT DEFAZIO: Go ahead.

MS. HEIDELBAUGH: Ms. Means is legally correct. We have the right to see the documents in regard to land transactions. Mr. Cambest is wrong. That's my opinion, and I have the right to say that.

MS. MEANS: Point of order.

MR. CAMBEST: May I say --- answer that, Mr. President?

PRESIDENT DEFAZIO: You can. What's your point?

MS. MEANS: My point is that I have just witnessed ---.

PRESIDENT DEFAZIO: Stop. I'm not accepting your point. I want to listen to him first.

MR. CAMBEST: So that we're perfectly clear, and I think I do speak English, you have the right to look at the lease, if it's a public document. You have the right to ask for it. If anybody objects or hinders that, you have the right to file under Right to Know and get a copy of it. You have the right to ask for it at a committee meeting. You have the right to ask a question and get an answer at the committee meeting. But you do not, don't, D-O-N-'-T, have the right to approve and negotiate and accept or work out the grant, the gift, the donation, the lease, the conveyance, the vacation, the abandonment or the permission of the use of the property. You do not have that right. You have the right to approve the ordinance. You have the right to deny it. If you don't like the compost project, if you don't like the people in

the North Hills or Allegheny County getting the compost, you have the right to deny it. That's it.

That was negotiated back in the 2000s. That was negotiated when they put the Home Rule Charter together. I sat in on those negotiations. I know what Allegheny County Council gave up under the Home Rule Charter. And that's one of the things that they gave up, the right to negotiate leases.

PRESIDENT DEFAZIO: Okay.

MS. HEIDELBAUGH: That was not what she said.

PRESIDENT DEFAZIO: Heather, you got to get the floor first.

MS. HEIDELBAUGH: He didn't get the floor.

PRESIDENT DEFAZIO: I asked him the question.

MS. HEIDELBAUGH: He interrupted me when ---.

PRESIDENT DEFAZIO: Representative Futules.

MR. FUTULES: As the chairman of our Parks, I'm almost ashamed of ourselves. This is a compost pile. And I understand every Council member has the right to disagree with something. That's why we talk about it in the committee. This is a voting meeting. If you don't like what happened in the committee, vote no. But you come up here and now we spend a half hour complaining about it again.

So I'll take all the time in the world during the committee meeting to air out any of your concerns, but --- and I guess you have the right to do it here. I'm not saying you don't, but this is a voting Council in the evening so you should have asked all those questions, which you did, by the way. You repeated them a couple of times here, so I thought it was a moot point that you asked the same questions in committee as you did here.

But you, as a Councilwoman, I'll respect everything you do and say whether you want to vote yes or no. And that's fine with me. So this is something so simple, a dollar contract that we've been doing for 15 years, I'd just like to repeat the motion to approve this.

PRESIDENT DEFAZIO: We got another question here. Wait a minute, Sue.

MS. MEANS: Put your microphone on.

MS. KLEIN: I think it is fair during our meetings that we have discussions about process. And I am for this amendment, but I also think as a deliberative body we should be able to discuss process.

PRESIDENT DEFAZIO: Sue, do you have a question? Go ahead.

MS. MEANS: Yes. I wanted to say that with Mr. Cambest that I do ask to see these leases and documents in committee, and I'm not allowed to see them. I do also want to address the President and say that as the Caucus Chair of the Republican party, I witnessed someone who had the floor, Ms. Heidelbaugh, be interrupted by Mr. Cambest. And when someone has the floor they should not be interrupted. And I'm very disappointed to see that. And I'm determined that I'm not going to be quiet when people are interrupted.

The other thing is I totally disagree with you just because --- that the County Exec --- I do believe in the word except. I do believe we should be seeing these documents. I'm allowed to have my opinion. And just because it's been done this way for a long time doesn't make it correct. And it's my --- and that is my very strong opinion.

And again, this is not about --- you know, if it was just about a compost pile, why not give it up? A simple little lease. Why not give it up? Why don't we see the big leases and the little leases? And yes, it's a public document, but when it's passed and when it's signed, then afterwards we get to see it. We don't get to see it before it's passed. We get to see it afterwards. And I don't know if everything is --- you know, you'd have do a --- file a Right to Know. It isn't that easy to see the lease on a compost pile.

So it's a theoretical, philosophical discussion which I very much appreciate that my Council members allowed me to entertain. Thank you very much.

PRESIDENT DEFAZIO: Okay. Let's take --- I think we had a second on it and everything. Let's take the vote.

|                  |                  |
|------------------|------------------|
| MR. CATANESE:    | Mr. Baker?       |
| MR. BAKER:       | Yes.             |
| MR. CATANESE:    | Mr. Ellenbogen?  |
| MR. ELLENBOGEN:  | Aye.             |
| MR. CATANESE:    | Mr. Finnerty?    |
| MR. FINNERTY:    | Yes.             |
| MR. CATANESE:    | Mr. Futules?     |
| MR. FUTULES:     | Yes.             |
| MR. CATANESE:    | Ms. Heidelbaugh? |
| MS. HEIDELBAUGH: | Yes.             |

MR. CATANESE: Ms. Klein?  
MS. KLEIN: Yes.  
MR. CATANESE: Mr. Kress?  
MR. KRESS: Yes.  
MR. CATANESE: Mr. Macey?  
MR. MACEY: Yes.  
MR. CATANESE: Mr. Martoni?  
DR. MARTONI: Yes.  
MR. CATANESE: Ms. Means?  
MS. MEANS: I'm abstaining. And I have  
to mention why and that's because I haven't seen the  
lease. Thank you.

MR. CATANESE: Mr. Palmiere?  
MR. PALMIERE: Yes.  
MR. CATANESE: Ms. Rea?  
MS. REA: Yes.  
MR. CATANESE: Mr. Robinson?  
MR. ROBINSON: Aye.  
MR. CATANESE: Mr. DeFazio, President?  
PRESIDENT DEFAZIO: Yes.

MR. CATANESE: Ayes, 13; no's, 0 with one  
abstention. The bill passes.

PRESIDENT DEFAZIO: Liaison Reports. Does  
anybody have a ---? Mr. Macey, Representative Macey?

MR. MACEY: Yes. Thank you, Mr. President and  
members of Council. I would just like to --- and I'm  
rather proud to be the co-chair of the Fifth Annual Tour  
de Mon and that's put together by the Mon Yough Area  
Chamber of Commerce. And that's to enhance the business  
and economic viability of the Mon Yough Rivers and the  
Youghiogheny River area. It'll be held September 26th  
from 8:00 o'clock until 11:00 a.m., and it'll be held at  
the historic pump house at the waterfront in Munhall.  
Please bring your bike, your helmet and have a good time.  
Thank you.

PRESIDENT DEFAZIO: Representative Heidelbaugh?

MS. HEIDELBAUGH: Thank you. I have two liaison  
reports. There's been recent news concerning a recipient  
of County money in exchange for the promise of jobs. And  
I have voted against most TIFs and LERTAs in which  
taxpayer dollars are given to companies, one company  
versus another company. In 2014, we gave tax abatements  
in this county of \$5 million a year for approximately the  
next 20 years. Every time we give money, we decline our  
tax revenue and we have to tax the citizens, including the

elderly and the poor. As of August 30th, U.S. Airways Flight Operations Center, subsidized by taxpayers, will close. Around 650 jobs will either move to Fort Worth or disappear altogether.

Taxpayers should not be bankrolling private investment, and yet we seem as a body here to be unable to stop doing it. There are so many examples that come to mind of governmental units subsidizing corporate entities that do not live up to their promise of supplying jobs which reduces the tax base and increases the tax burden on organized citizens, including Sony, Lazarus, Lord and Taylor's, just to mention a prominent --- a few prominent ones.

As we all know, in 2007 we bid to get the flight operations center here and U.S. Airways. The center was to cost \$25 million and employ 600 people with 450 coming from U.S. Airways current center. And there were supposed to be 150 new jobs. The financial aid package put together by the state and county totaled more than \$16 million which consisted of \$3 million in grants, \$12.5 million in loans and \$750,000 in state tax credits tied to the number of jobs created by the project.

The highest passenger count in 2007 for the airport was only 20.7 million, even though they had promised 50 million. So I could go on and on and on here, but we gave U.S. Airways so much money. We constantly are being promised that if we give corporations money they will create jobs, and they will pay these loans and grants back.

And once again, here on August 30th, we've given all this money and they are now moving all those jobs. And the point is we just seem to never learn that giving one corporation over another corporation all of these tax abatements, we not getting the jobs. We are not getting the money. And we are increasing the tax burden.

The second liaison report I have is that the jail continues to be an enormous problem. We have more lawsuits. Corizon is not supposed to be finished until August 30th. We have reports coming out in the news, people calling me that there still is no medicine. There are no electronic medical records. There are people who are --- there was a woman who lost her baby in utero. She was left to bleed to the point where they lost the baby. I have continually asked this administration to not only not renew the Corizon contract, but to supplement the care

to the inmates. And I specifically asked the county manager if there was a plan to supplement the care, and that has not been done. We are going to be faced with not only cruel and unusual lawsuits because of violation of the Eighth Amendment, but people are suffering. There are reports that hundred of prisoners are suffering because they're not getting their medication, and many others have died.

We continue to have the highest rate of deaths at the jail --- of any jail in the entire country. Even though we have a new provider coming in in September, there has been no indication that this medication problem has been solved. So I remain publicly extremely concerned, extremely worried and very saddened about the people who are in the jail, some of whom, obviously, who have not been charged and are just being held, many of whom are psychiatrically ill and who are suffering. And I don't think we're doing enough.

PRESIDENT DEFAZIO: Anybody else? Go ahead. Let's start with Rep --- oh, go ahead. Representative Finnerty.

MR. FINNERTY: Thank you, Mr. President. I'd just like to say that on August the 15th, which was last Saturday, the annual fishing contest was held in Heidelberg at Chartier's Creek, and there was a number of fish caught. The winner was a Sheephead which weighed eight pounds, and the biggest catfish weighed six and a half pounds and was caught by a little girl which about --- she's about six years old. So I just wanted to mention that.

Also, I wanted to mention that August 21st at Soldiers and Sailors Memorial Museum, it's going to be National Senior Citizens Day which will start at 10:00 a.m. They have an agenda of different items that will go on until 12:00 noon. And obviously, admission is free, but remember, you have to be a senior citizen. That's, I guess, in your 60s or over. So it's August 21st and it's from 10:00 a.m. to 12:00 p.m. at Soldiers and Sailors. And that's all I have. Thank you very much.

PRESIDENT DEFAZIO: Representative Ellenbogen, then Sue Means and then ---.

MR. ELLENBOGEN: Thank you, Mr. President. You know, in a county that probably has one of the largest animal-loving population in the United States with dogs and cats, it has also transferred to the large animals as

we've seen the reaction to the gentleman who had killed that lion. I had read something in the newspaper that has disturbed me. And just as my background, I worked my way through high school and through college working at the Pittsburgh Zoo. And I'm very familiar with elephants and have worked with them for many years. Their power and their strength is only rivaled by their personality.

The AZA, which is the American Zoo Association, is probably the most well-renowned animal safety, research, species saving, zoo-accredited thing in the United States. There are 229 of the major zoos in this country that belong to it. There has been a movement in this country that the majestic elephant should not be caged. Circuses have found that out, how the American people are feeling about that. Henceforth, 21 zoos have closed their elephant exhibits, six more are planning to close at this time and 13 more have sent their animals to sanctuaries.

Now, I bring this up because a lot of the RAD money and money that comes through this Council goes to the Pittsburgh Zoo. To me, it's an abomination that the Pittsburgh Zoo, which I might remind you were herding these elephants with dogs, where the Federal government had to come in and fine them and cease that because it was creating a huge hesitation among the animals.

Furthermore, that --- now, mind you, when I worked there, I've seen people hurt by elephants. I mean, a baby elephant is like trying to train a Chevy. I mean, they're that powerful, and they're that big, and they're that dangerous. Even the people that know what they're doing --- there's a gentleman that was killed a couple of years ago. I saw a gentleman that was banged up against the bars of a --- and had every rib broken. These are dangerous animals.

My point is the Pittsburgh Zoo has decided in their wisdom to excuse themselves and resign from the American Zoo Association because of the safety provisions that the AZA puts on the --- I don't know how to put it in laymen's terms, but the time you should spend unrestricted among elephants. That being said, they're pulling themselves away from that, which to me is wrong because now you've put other keepers, in my mind, in harm's way. There have been people who have been killed, and there are people who have been killed at the Pittsburgh Zoo and severely injured handling these elephants. The AZA is the

most accredited organization probably in the world that knows what's best.

I personally am going to send a letter to the director of the zoo because I want an explanation. If County money goes in there, and they're putting people at risk, and they're causing this kind of emotional distress which the Federal government has confirmed among these majestic animals, I want to know why. Now, the director may tell me to --- you know, it's none of my business or whatnot. At that point, when RAD comes up, they're going to hear my mouth with that.

I'm asking any Council members that would like to join me in that letter, you can inbox me or e-mail me. I would appreciate it. Thank you, Mr. President. I didn't mean to go on, but I think that this is very important. And mind you, trust me on this, the people of this County care about this kind of stuff. So for those that just talk about, you know, people that care about animals or this or that, yeah, kick a dog and find out. Thank you.

PRESIDENT DEFAZIO: Representative Means and then Representative Futules. Go ahead.

MS. MEANS: Yes. I just --- we would be very remiss if they didn't extend the deepest sympathy to Henry Hillman and his family at the passing of Elsie Hillman. We lost a strong woman, a woman that cared tremendously about our community and was very generous and supportive to help the members of our community. And I know that we will soon be drafting a proclamation in her honor, but I just --- since she just passed last week, I wanted to mention again we are extending our deepest sympathy to the Hillman family. Thank you.

PRESIDENT DEFAZIO: Representative Futules.

MR. FUTULES: Thank you. I'll be brief. We just received a flyer here for the Park Rangers Program in Allegheny County. If you --- they're --- in all nine county parks, they've got a lot of activities, something new with our park rangers that we're starting to begin here. And it says here at the bottom that pre-registration is recommended. And you go to Allegheny County.us/parks, and you can see all the activities in our nine county parks. Thank you.

PRESIDENT DEFAZIO: Is there anyone else? Seeing none, we'll move on to 9121-15.

MR. CATANESE: A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the acceptance of 9-1-1 subscriber and consumer fees from the newly created 9-1-1 Fund for the provision of 9-1-1 services in the County as provided by the Act of June 29, 2015, P.L. 36, Number 12. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That'll go into Budget and Finance. 9122-15.

MR. CATANESE: A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2015, Submission 07-15. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That'll go to the Committee on Budget and Finance. Notification of Contracts. 9123-15.

MR. CATANESE: Executive Actions for all departments from 7/1/15 through 7/30/15 to be received and filed.

PRESIDENT DEFAZIO: Does someone want to make a motion?

MR. FINNERTY: I'll make that motion.

MR. MACEY: Second.

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

(Ayes Respond.)

PRESIDENT DEFAZIO: Opposed? The ayes have it. Public Comment. Go ahead, I'm sorry.

MR. FINNERTY: Can I ---?

PRESIDENT DEFAZIO: Yeah. Go ahead.

MR. FINNERTY: This Thursday we're going to have a Budget and Finance meeting. I just wanted to make sure everybody understands that. And that 9122-15 will be on it, and also Heather Heidelbaugh's motion will be on that agenda. And also Sue Means' motion will be on that agenda. It will begin at four o'clock followed at five o'clock by the Economic and Development Council.

PRESIDENT DEFAZIO: When is that?

MR. FINNERTY: Thursday.

PRESIDENT DEFAZIO: This Thursday?

MR. FINNERTY: This Thursday.

PRESIDENT DEFAZIO: Somebody else? okay. We're down to the ---- three speakers. Tom Barchfeld.

MR. BARCHFELD: Thank you for letting me speak. Tom Barchfeld, 1 Glen Elm Drive, of Whitehall, ZIP Code

15263. I wanted to talk about the new rule from Julian Castro of the Housing and Urban Development affirmatively furthering fair housing.

This new rule is going to have municipalities and communities analyzed by their demographic imbalance and altered according to the way they view it. If they see a demographic imbalance from metropolitan areas in the surrounding suburbs, they want to change the demographics. Each municipality will have to file a report, and they will take those numbers and see if there's a change they need to make in the suburbs by changing their zoning if they're taking housing and urban development money, putting in subsidized housing and only approving home sales that they can help make the demographic change they want.

I think it just won't allow people to be free to move where they want to if it has to be approved by Housing and Urban Development. There's an article written by Stanley Kurtz of National Review, which I use as a source for this. And they already used this rule in West Chester County, New York, which they've already done that. Thank you.

PRESIDENT DEFAZIO: Thank you. Mark Recktenwald.

MR. RECKTENWALD: Mr. President and Council members, my name is Mark Recktenwald. I'm a resident of South Park and a member of the South Park Roller Hockey League.

The South Park Roller Hockey League is a nonprofit organization in operation at South Park Roller Rink or the object that Mr. Finnerty referred to for 15 years.

Each season we give between 100 and 200 --- area use, the opportunity to learn and play the sport of roller hockey. Board members and coaches are unpaid volunteers donating their time and lending their hockey knowledge to provide a fun environment. This organization is open to children ages 5 to 18. We have learn-to-play for beginners, and a ten-week session with playoffs --- or season with playoffs for the more experienced, in addition to ---. We provide equal playing time for all skill levels. The league provides jerseys, goalie equipment, balls, referees, scorekeepers and a pizza party and awards at the end of the season.

We employ about ten area youth as referees and scorekeepers. We rent the rink. We've been renting the rink for the past 15 years between --- from mid-April until late July. This is Monday through Thursday from 6:00 p.m. to 10:00 p.m., and one weekend in July for playoffs for approximately 210 hours total. Our pre-2015 fees, we paid \$10 per child per season. Based on the last four seasons with about 200 kids, we paid about \$2,000. The newly proposed fees of \$40 an hour will more than quadruple our costs, and it is not possible with our current budget.

This past season, because they tore down the rink at last notice, we've wasted funds such as advertising for about \$500 in website expenses. And because of the canceled season, we may have lost players. Drew here is a product of the organization. He started as a player, transitioned into a coach and now is the director of our Learn to Play.

We understand that our fees were low, but this allowed us to pass this savings on to our residents at a low cost. The new fee structure would force a change in philosophy and likely would not be affordable by a large portion of our organization. We believe we could withstand an increase of \$15 per player or \$10 an hour. The League hopes that we can come to a reasonable resolution and save the League. Without the League, we believe that the rink will not be rented and will go under-utilized.

On behalf of the League, we thank you for your support, and we greatly appreciate your consideration.

PRESIDENT DEFAZIO: Okay. Wanda Guthrie. Is Wanda here? Not here. Someone want to make a motion to adjourn?

MR. ELLENBOGEN: Motion.

MR. MACEY: Second.

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

(Ayes respond.)

PRESIDENT DEFAZIO: Opposed? The ayes have it.

COUNCIL MEETING ADJOURNED AT 7:06 P.M.

CERTIFICATE

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

  
\_\_\_\_\_  
Court Reporter

Sarah Hunt