

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

Richard Schwartz - President District 7
Richard Fitzgerald - District 11 Vice-President
John P. DeFazio - Council-At-Large
David B. Fawcett, III - Council-At-Large
Ronald Francis, Jr. - District 1
Jan Rea - District 2
Thomas A. Shumaker - District 3
Douglas L. Price - District 4
Vincent J. Gastgeb - District 5
James Fenton - District 6
Charles Martoni - District 8
C. L. Jabbour - District 9
William R. Robinson - District 10
Wayne Fontana - District 12
Brenda L. Frazier - District 13

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

Tuesday, December 16, 2003 - 5:00 p.m.

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IN ATTENDANCE:

Guy A. Tumolo, Chief of Staff
John Mascio, Clerk of Council
John F. Cambest, Esq., Counsel for County Council

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CHAIRMAN FITZGERALD: Call this meeting of County Council to order.

Please rise for the Pledge of Allegiance and a moment of silent reflection.

(Pledge of Allegiance.)

(Moment of silent reflection.)

CHAIRMAN FITZGERALD: Thank you.
Call the roll, please.
MR. MASCIO: Mr. DeFazio?
MR. DE FAZIO: Here.
MR. MASCIO: Mr. Fawcett?
Mr. Fenton?
MR. FENTON: Here.
MR. MASCIO: Mr. Fontana?
MR. FONTANA: Present.
MR. MASCIO: Mr. Francis?
CHAIRMAN FITZGERALD: Here.
MR. MASCIO: Ms. Frazier?
MS. FRAZIER: Here.
MR. MASCIO: Mr. Gastgeb?
MR. GASTGEB: Here.
MR. MASCIO: Mr. Jabbour?
MR. JABBOUR: Here.
MR. MASCIO: Dr. Martoni?
DR. MARTONI: Here.
MR. MASCIO: Mr. Price?
MR. PRICE: Here.
MR. MASCIO: Ms. Rea?
MS. REA: Here.
MR. MASCIO: Mr. Robinson?
MR. ROBINSON: Present.
MR. MASCIO: Mr. Shumaker?
MR. SHUMAKER: Here.
MR. MASCIO: Mr. Schwartz, President?
Mr. Fitzgerald, Chair?
CHAIRMAN FITZGERALD: Present.
MR. MASCIO: 13 members present.
CHAIRMAN FITZGERALD: Thank you.

We have a very special night planned this evening to honor the young men and women, their coaches, their parents, the communities from around this county that have won championships, both in the WPIAL and City League. We are delighted to acknowledge so many of you and that you could join us this evening.

We are kind of lucky because we have most of our business done this year. This is our last meeting of the year. We passed our budget, so we can move on to more festive things this evening; but first, what I'd like to do is we are going to have some proclamations honoring some of the past members who have served on this Board who have served on County Council and many of them are here this evening.

The first person we'd like to honor is a proclamation recognizing and commending a former Allegheny County Council member and Commissioner Tom Foerster. I believe his nephew Mark is here and his wife, Mrs. Foerster is here as well.

I will read this into the record.

Whereas, Allegheny County and the Commonwealth of Pennsylvania have been blessed with exemplary leadership throughout the history of our great nation, with visionaries of great knowledge and determination making invaluable contributions to our communities, our country and the world; and

Whereas, Tom Foerster was elected to be one of the founding members of the first Allegheny County Council, a landmark in government history after 212 years of the three Commissioner form

of government, and became the first person to hold office in the county under both forms of government; and

Whereas, chosen by the members of his community for this task, his election reflected great respect and confidence in his abilities as a leader and community champion, as previously evidenced through his numerous terms as Allegheny County Commissioner; and

Whereas, during Mr. Foerster's service to Allegheny County government, he gave untiringly to issues that affect this county, extolling a career of public service and encouraging young people to enter a life in government. He believed in making things better for individuals but used his insight into individual needs to improve the county. He valued public/private partnerships and bipartisan efforts, often putting politics aside to do what needed to be done for the county. His passion for particular projects was often the guiding force for their completion, as was the case of the Pittsburgh International Airport, where a terminal is now appropriately named in his honor. He lived his life and served the county and its residents by believing that public service meant acting on behalf of people who did not have access or influence.

Now, therefore, be it resolved that the Allegheny County Council hereby recognizes one of its founding members, Tom Foerster, for his tremendous contributions to the cause of good government and citizen participation, elected to represent the citizens of District 13 with the utmost integrity. The citizens of Allegheny County and this Council are truly indebted to him for his exemplary leadership in launching this new form of government and for his extensive service to Allegheny County.

Presented by all members of Council of this 16th day of December 2003.

Congratulations to Mrs. Foerster and Mark. Thank you for his service.

MRS. FOERSTER: Tom was proud to serve the people of Allegheny County, first as a State Legislator and then as the County Commissioner. In fact, it was in this very room that Tom conducted the County's business for 28 years.

One of Tom's favorite themes was to ensure a level playing field for all people, and he felt that one way to accomplish this was through a bipartisan form of government. He was honored that the people of Allegheny County agreed with him in forming this new form of government. He was thrilled that the people in District 13 elected him to the inaugural board.

Thank you very much. :

MR. FOERSTER: I also want to thank County Council very much. It's great to see such a fine group of people and contrary to popular opinion, my uncle was not County Commissioner for all 212 of those years, but he did some great things for this county and we want to accept posthumously this award on his behalf.

Most people when they think of the airport think of Tom, which certainly is the third greatest airport in the world, but also more importantly, is the work that he did locally for the Community College that attracts great professors and deans, like Chuck Martoni, but mostly, human services for Allegheny County.

I think that this Council has also recognized that in pushing forward his legacy, human services was what he was most proud of and this group as well, that he tried to establish in the mid-1970s and didn't get through, but finally in the 1990s he did

push this through and really wanted this form of government to take hold.

So I thank very much this Council and wish you the best of luck. Thank you.

CHAIRMAN FITZGERALD: Next would like to honor and recognize Councilwoman Eileen Wagner, and I'll ask Wayne Fontana to come up and deliver that proclamation.

MR. FONTANA: Thank you.

It is certainly my privilege to present this proclamation to an outstanding Council member and good friend, once she was on Council and after that, I think. The proclamation reads.

Whereas, Allegheny County and the Commonwealth of Pennsylvania have been blessed with exemplary leadership throughout the history of our great nation, with visionaries of great knowledge and determination making invaluable contributions to our communities, our country and the world; and

Whereas, Eileen Wagner was elected to be one of the founding members of the first Allegheny County Council, a landmark in government history after 212 years of the three Commissioner form of government; and

Whereas, chosen by the members of her community for this task, her election reflected great respect and confidence in her abilities as a leader and community champion. She was also chosen by her peers as the first Vice President of this body and provided unquestionable leadership in that role; and

Whereas, during Ms. Wagner's tenure on Council, she gave untiring service to issues that affected her District and the county as a whole. She was responsible for the Parks Family Pass Program for county pools, fought for increased funding for community bookmobiles, was instrumental in the creation of the County Ethics Code, represented this county as a member off the 13 county Southwestern PA Commission which makes decisions regarding where federal transportation dollars will be spent, was in the forefront of questioning county assessments and attempting to improve the assessment system, and continues to serve the county today as the newly-elected Register of Wills.

Now, therefore, be it resolved that the Allegheny County Council hereby recognizes one of its founding members, Eileen Wagner, for her tremendous contributions to the cause of good government and citizen participation, representing the citizens of District 4 with the utmost integrity. The citizens of Allegheny County and this Council are truly indebted to her for her exemplary leadership in launching this new form of government.

Presented by all members of Council of this 16th day of December 2003.

Congratulations.

MS. WAGNER: Thank you so much. Thank you very much. It's a great pleasure to be here, Mr. President, members of Council. It was a great two years that I served on Council and what came out of this is really great friendships with members of Council, which I will always cherish, and members of the staff and friendships in District 4 and throughout this county.

I must say I wish you all the best of luck in your personal endeavors and political endeavors and thank you so much. It was a great pleasure serving with all of you.

CHAIRMAN FITZGERALD: Next we are going to honor Councilman Mike Crossey.

Whereas, Allegheny County and the Commonwealth of Pennsylvania have been blessed with exemplary leadership throughout the history of our great nation, with visionaries of great knowledge and determination making invaluable contributions to our communities, our country, and the world; and

Whereas, Mike Crossey was elected to be one of the founding members of the first Allegheny County Council, a landmark in government history after 212 years of the three Commissioner form of government; and

Whereas, chosen by the members of his community for this task, his election reflected great respect and confidence in his abilities as a leader and community champion. He was also chosen to serve as the chair of this body's Committee that wrote the County Administrative Code and provided unquestionable leadership in that role; and

Whereas, during Mr. Crossey's tenure on Council, he gave untiring service to issues that affected his District and the county as a whole. He was responsible for legislation that was adopted by the Board of Health and approved by Council that created a program for monitoring the sale of tobacco to minors. He established a countywide recycling program to benefit the environment, sponsored numerous pieces of legislation to make improvements to the property assessment system, including legislation regarding interim assessments, and suggested legislative changes for the use of property taxes as the major source of funding for public schools.

Now, therefore, be it resolved that the Allegheny County Council hereby recognizes one of its founding members, Mike Crossey, for his tremendous contributions to the cause of good government and citizen participation, representing the citizens of District 6 with the utmost integrity. The citizens of Allegheny County and this Council are truly indebted to him for his exemplary leadership in launching this new form of government.

Also parenthetically, I can say I miss Mike. Mike had a lot of great ideas and great legislation that we would debate and the meetings are shorter without you being here, by the way, but that's all right.

Finally this proclamation is sponsored by all members of County Council, December 16th, 2003.

Mike, congratulations.

MR. CROSSEY: Rich, thank you and members of County Council.

It was more than enjoyment sitting for the couple of years on County Council with each of you. As somebody who teaches government and economics in school every day, the opportunities that I had here to participate in the creation of a new form of government was something that I will never forget. So I thank you not only for this proclamation, but I thank you for what you do on a daily basis. I know how much time you put in.

My wife once said that I spent 35 hours a week doing County Council work on top of teaching all day, and I know each of you put in those kinds of hours, too, and the community will never understand how hard you work and how much you do to make Allegheny County a better place for all of us to live. So on behalf of all the citizens of Allegheny County, thank you for what you do.

CHAIRMAN FITZGERALD: We have other proclamations. Some of the individuals are not able to be here tonight. Richard

Olasz, who served in District 9, was unable to make it this evening.

His proclamation reads as follows: Whereas, Allegheny County and the Commonwealth of Pennsylvania have been blessed with exemplary leadership throughout the history of our great nation, with visionaries of great knowledge and determination making invaluable contributions to our communities, our country, and the world; and

Whereas, Richard Olasz was elected to be one of the founding members of the first Allegheny County Council, a landmark in government history after 212 years of the three Commissioner form of government; and

Whereas, chosen by the members of his community for this task, his election reflected great respect and confidence in his abilities as a leader and community champion.

Whereas, during Mr. Olasz's tenure on Council, he gave untiring service to issues that affected his District and the county as a whole. As a founding member of this Council, he brought his significant experience in state government to the table, served as a vocal proponent of the creation of the Regional Booking Centers throughout the county, and was considered to be one of the most vocal members on Council during his tenure.

Now, therefore, be it resolved that the Allegheny County Council hereby recognizes one of its founding members, Richard Olasz, for his tremendous contributions to the cause of good government and citizen participation, representing the citizens of District 9 with the utmost integrity. The citizens of Allegheny County and this Council are truly indebted to him for his exemplary leadership in launching this new form of government.

Presented by all members of Council of this 16th day of December 2003.

Former Council President Jim Simms also was unable to be here.

Whereas, Allegheny County and the Commonwealth of Pennsylvania have been blessed with exemplary leadership throughout the history of our great nation, with visionaries of great knowledge and determination making invaluable contributions to our communities, our country, and the world; and

Whereas, Dr. James Simms was elected to be one of the founding members of the first Allegheny County Council, a landmark in government history after 212 years of the three Commissioner form of government; and

Whereas, chosen by the members of his community for this task, his election reflected great respect and confidence in his abilities as a leader and community champion. He was also chosen to serve as this body's President and provided unquestionable leadership in that role as well as Chairman of the Council's Budget and Finance Committee; and

Whereas, during Dr. Simms' tenure on Council, he gave untiring service to issues that affected his District. He held public hearings on the Sanders Consent Decree and worked with Economic Development to address the issue of unspecified funds, hosted informational meetings to address concerns with the Eastgate Development, brought together individuals working within M/W/DBE programs in the county to formulate ways to improve and coordinate efforts, encouraged policy makers from the city and county to discuss the issues regarding merging 9-1-1 Emergency Services, and

worked proactively as a member of the Jail Oversight Board to address the issues of overcrowding in our jail and reduction of recidivism rates in our community.

Now, therefore, be it resolved that the Allegheny County Council hereby recognizes one of its founding members, the Rev. Dr. James Simms, for his tremendous contributions to the cause of good government and citizen participation, representing the citizens of District 10 with the utmost integrity. The citizens of Allegheny County and this Council are truly indebted to him for his exemplary leadership in launching this new form of government.

Presented by all members of Council of this 16th day of December 2003.

Councilman Joe Natoli, due to poor health, is also unable to be here.

Whereas, Allegheny County and the Commonwealth of Pennsylvania have been blessed with exemplary leadership throughout the history of our great nation, with visionaries of great knowledge and determination making invaluable contributions to our communities, our country, and the world; and

Whereas, Joseph Natoli was appointed by this Council to fill a vacancy in the District 13 seat of Allegheny County Council, reflecting great respect and confidence in his abilities as a leader and community champion; and

Whereas, during Mr. Natoli's tenure on Council, he gave untiring service to issues that affected his District and the county as a whole. He was a staunch advocate for the continuation of services important to the county's Veterans. He was supportive of the Boy Scouts within the county and their underlying principles, was a vocal proponent of the county's park system, and brought a wealth of experience to the table as a former county employee. He continues to serve the county today as a member of the county's newly created Parks and Recreation Commission which oversees the county's park system.

Now, therefore, be it resolved that the Allegheny County Council hereby recognizes one of its retired members, Joseph Natoli, for his tremendous contributions to the cause of good government and citizen participation, representing the citizens of District 13 with the utmost integrity. The citizens of Allegheny County and this Council are truly indebted to him for his exemplary leadership in launching this new form of government.

Presented by all members of Council of this 16th day of December 2003.

A final one we are going to have who is here, one of our newest, latest members was Mr. Hop Kendrick, Louis "Hop" Kendrick, and he is going to be presented his proclamation by the Councilman from District 10, Councilman Bill Robinson.

MR. ROBINSON: Thank you, Mr. Chairman and members of Council.

This is a unique opportunity for me when Councilman Kendrick so graciously stepped aside so that I might serve on this Council. I was indeed pleased at my colleagues who unanimously followed his recommendation and swore me in that same night; but on a lighter note, I had hoped that I would get a picture with Councilman Kendrick that night. He escaped me on September 23rd, 2003, but we found him, and so I'm going to get a picture with him today.

I'm going to read this and then make a couple quick comments about Councilman Kendrick because, as you know, he can talk, but he is my friend and I love him dearly.

Whereas, Allegheny County and the Commonwealth of Pennsylvania have been blessed with exemplary leadership throughout the history of our great nation, with visionaries of great knowledge and determination making invaluable contributions to our communities, our country, and the world; and

Whereas, Louis "Hop" Kendrick was appointed by this Council to fill a vacancy in the District 10 seat of Allegheny County Council, reflecting great respect and confidence in his abilities as a leader and community champion; and

Whereas, during Mr. Kendrick's tenure on Council, he gave untiring service to issues that affected his District and the county as a whole. He educated himself on issues surrounding the property assessment system in order to respond to concerns and questions by constituents in his District, served as a member of the Special Committee reviewing labor-management concerns at the Kane Regional Centers, and was a vocal advocate of minorities, particularly African-Americans, in all aspects of this county government.

Now, therefore, be it resolved that the Allegheny County Council hereby recognizes one of its former members, Louis "Hop" Kendrick, for his tremendous contributions to the cause of good government and citizen participation, representing the citizens of District 10 with the utmost integrity. The citizens of Allegheny County and this Council are truly indebted to him for his exemplary leadership in launching this new form of government. Zoo.

Sponsored by all members of Council on this 16th day of December 2003, and I certainly want to present this to my good friend and mentor.

Many years ago Mr. Kendrick was in business and my father, in talking to me about doing some work on my property, mentioned Louis Kendrick and his family as people who could do that work. Little did I know, our families had been friends for many years; and ever since that day that he came to my mother's house with a cigar in his mouth and said "where's the job," we have been friends and he has been a political mentor.

There are few people in this county who can match his intellect, quick wit, political knowledge, integrity, and determination to do the right thing. He writes a weekly column in the New Pittsburgh Courier called Tell the Truth, and he does.

Many people thought that Mr. Kendrick would not step aside so that I might serve on this Council, but he did, and he did so because he's a man of integrity. Hopefully that is not lost, not only on the people who thought he would not do that, but it's not lost on those who always knew that he would do that because it was the right thing and because he had given his word.

One last comment before you hear from Mr. Kendrick. Many people have asked Mr. Kendrick and myself and Reverend Simms, who Mr. Kendrick replaced on an interim basis, how did all of this happen? How did the three of you come together? How did the three of you serve on County Council within a period of one year? We vowed not to tell anybody. Our point is: read the book. A lot of folks are writing books about their political and governmental experiences. The three of us have a book to write, and so if you want to know how it all happened, you'll have to buy the book.

I want to thank Mr. Kendrick not only for serving this

county, being my friend, but continuing to dedicate himself to helping this Council, to helping District 10, and to be a beacon for all of you young people who are here.

If you want to model yourself on a person who has integrity, has given of himself, a man of faith, a family man, someone whose word you can take to the bank, it's the honorable Louis "Hop" Kendrick, my friend.

MR. KENDRICK: Since Bill spoke so long, I'll be brief. You know I accept this proclamation tonight not necessarily in my behalf or anything that I think that I have done, but I accept it on behalf of Council and all of you.

I stand here tonight because we all suffer from the same, probably the same common dominator, we are Americans. Greatest nation in the history of the world. I'm proud to be an American. I'm delighted to see so many young people here this evening; and some of you say, well, we are here because we are winners. I want you to understand in life, playing a game is much more important sometimes than winning. It's how you play it. You got to play it with integrity. You got to play it with a sense of responsibility; and when you shoot through the hoop, try to match that on your grades in your classroom because you can be the best basketball player in the world but if you break your leg, you're looking for a job. So let basketball and baseball and football become secondary. Don't let it be a priority in your life. If you understand how few of you are ever going to win a basketball scholarship, how few of you are ever going to the pros, you need to concentrate on A, B, C's, reading, writing, arithmetic. Concentrate on foreign languages. Concentrate on being responsible young people. Concentrate on growing up to be a responsible man or woman that you can look your family in the eye and know that you did the best that you could.

I served briefly on County Council but I was very proud that I was able to make any kind of contribution. I want County Council to understand that they have a tremendous responsibility. I would hope that one day during the course of my lifetime, maybe I am being idealistic, that we will cease being black and white, men and women, Democrats and Republicans, and become conscientious public officials, doing that which is best to further the need of this city, this county, and this nation.

God bless all of you.

CHAIRMAN FITZGERALD: I was mistaken. We actually have one more because he is not an ex-Councilman yet. Councilman Jim Fenton, who had stepped in to serve.

Jim, if you'd please come over, we have one for you as well.

Jim Fenton stepped in for Mike Crossey. Mike had to resign when he decided to run for higher office. Jim did not run for reelection but was very helpful in helping us serve over the last couple years. So we certainly want to honor Jim for his contributions.

Whereas, Allegheny County and the Commonwealth of Pennsylvania have been blessed with exemplary leadership throughout the history of our great nation, with visionaries of great knowledge and determination making invaluable contributions to our communities, our country, and the world; and

Whereas, Jim Fenton was appointed by this council to fill a vacancy in the District 6 seat of Allegheny County Council,

reflecting great respect and confidence in his abilities as a leader and community champion; and

Whereas, during Mr. Fenton's tenure on Council, he gave untiring service to issues that affected his District and the county as a whole. He educated himself on issues surrounding the Betters Blasting and Hays Development in order to respond to concerns and questions by constituents in his District. He learned about the county's process for Civil Service exams in order to address concerns raised by the Sheriff's office and the County Police over layoffs, and he made numerous trips to Harrisburg lobbying the State Legislature for increased funding for Human Services and a dedicated funding source for public transportation.

Now, therefore, be it resolved that the Allegheny County Council hereby recognizes one of its retiring members, James Fenton, for his tremendous contributions to the cause of good government and citizen participation, representing the citizens of District 6 with the utmost integrity. The citizens of Allegheny County and this Council are truly indebted to him for his exemplary leadership in launching this new form of government.

Presented by all members of Council of this 16th day of December 2003.

Jim, congratulations.

MR. FENTON: Well, first of all, I have to thank the County Council members that gave me the opportunity by giving me the appointment to work on County Council. I want to thank the County Council that taught me what I was going through the last couple years how the process works. They were very helpful.

I now have a new Councilman, Councilman Gastgeb, who I have great confidence in. Because of the redistricting, I'm now in his District; and along with all the other members, I feel very confident that they are going to work for the best for the constituents in Allegheny County.

I also want to wish everybody on Council and in this room a happy holiday.

Thank you.

CHAIRMAN FITZGERALD: Now, we are going to go our WPIAL champions starting with Springdale High School and we are going to ask Councilman DeFazio to deliver that proclamation. I believe we have Coach Wagner here, who is quite an inspirational story for what he has done and what that program has done over the last couple years. I see the Springdale team is coming in now.

Eileen, would you like to come up.

Eileen Watts, the newest member of County Council, she is going to be sworn in next week and will be representing the District of Springdale.

Tom Shumaker is also going to be presenting this one, I believe. He represented part of Springdale before the redistricting.

As they are coming in before we get started, for some of you young guys who don't know where the future is going to lead you, I would just like to remind you or make you aware, Councilman Kendrick who got up and spoke so eloquently before, was a member of the Fifth Avenue High School City League championship team over 50 years ago. So some of you guys might be in this Court House 50 years from now, who knows where the path will take you.

I'm going to have Mr. Mascio read the proclamation to

Springdale, our County Clerk.

MR. MASCIO: Proclamation recognizing and commending Springdale High School Varsity Football team upon capturing the WPIAL A championship.

This is sponsored by Council Member Rick Schwartz.

MR. SHUMAKER: In recognition of your outstanding athletic ability, share with your teammates, contributing to the team's outstanding season record, capturing the 2003 WPIAL A Championship, proud accomplishments worthy of our County of Champions. In recognition of your distinguished endeavors and accomplishments which have earned the esteem of the citizens of Allegheny County, this achievement has conferred honor upon the county to be shared by each of us.

MR. DE FAZIO: Before we call up Coach Chuck Wagner, I want to read something here. Coach Wagner entered his sixth decade of coaching. He had 200 victories, 42 years of coaching, 39 years as head coach, 10 years at Springdale, 2001 High School Coach of the Year, honored at the 2001 Hula Bowl and 2003 Pittsburgh Post-Gazette Coach of the Year.

So would you please come up, Chuck, and say a few words.

MR. WAGNER: First, I would like to thank the people from the county government for having us here this evening. We feel very, very honored.

Also, I'd like to commend all the other teams, coaches being honored here this evening for an outstanding year also.

We are very proud of our club. They certainly rose to the occasion. They were a great team. They played as a team. They hung in there as a team in every regard. During the playoffs, we had a run of four straight wins where each week our club was the underdog and the kids pulled it out.

I've coached a long time and there's been none that's been better than what this group is, and I do want to commend our coaching staff, too. They put an awful lot of time in because without them, there is no way this could have all happened, and our support staff and last but not least, our parents who provide us with some fine young men to work with.

Thank you very much.

MR. DE FAZIO: Congratulations.

Newly elected Councilwoman Eileen Watt want to say a word.

MS. WATT: As a former Springdale Dynamo, I wanted to congratulate you. I'm so proud of all of your efforts and it's absolutely an honor for me to be here as you're receiving your award. So congratulations.

MR. MASCIO: Our next proclamation is for the WPIAL organization.

CHAIRMAN FITZGERALD: Is Jim Collins here? Jim, if you could come forward representing the WPIAL.

I know Larry Hanley couldn't make it this evening. Certainly all these young men and women who participated this fall and certainly a lot of them doing it in the winter and then in the spring, we certainly want to recognize the work that the WPIAL does, District 7.

In recognition of your beneficial guidance and influence upon the young men and women, urging them to prevail in academics as well as athletics, leading them through another

excellent season, proud accomplishments worthy of our County of Champions. In recognition of your distinguished endeavors and accomplishments, which have earned the esteem of the citizens of Allegheny County. This achievement has conferred honor upon the county to be shared by each of us.

Sponsored on behalf of the County Council t his 16th day of December 2003.

Jim, congratulations.

MR. COLLINS: First off, I would like to thank all the young people tonight who are being honored from the WPIAL and the City League.

I would like to thank the County Council for taking the time to honor the achievements of this great group of young people. Too often we see in the media some of the negative things the young people do. We are really happy to see the positive accented, and I'm just very proud to be affiliated with the WPIAL because we feel it's the best athletic, regional athletic association in the country and one of the reasons that it is is because of all the fine schools, coaches athletic directors that we have.

Thank you and good luck and have a happy holiday.

MR. MASCIIO: The next proclamation is a proclamation recognizing and commending the East End Crusaders football upon capturing the Catholic Diocese championship.

This is sponsored by Council Member Rich Fitzgerald.

MR. FITZGERALD: If we could bring up the Crusaders and members of their coaching staff.

Some of my Council members might want to know why I snuck out of meetings this year on Tuesday nights in the fall. You're going to see why right now because these are some of the kids we coached, and now my kids will know why I was late for practice on Tuesday nights. I had to be here to be part of this deal; but I just wanted to say how proud I am of what the Crusaders have done and I'm just going to read briefly from the proclamation.

They won countywide and, unfortunately, guys you made some of my colleagues a little bit mad. I know Mr. Gastgeb was upset that St. Louise got beat out in Upper St. Clair. I know Councilwoman Rea was upset that St. Barnaventure lost in the championship game. Maybe next year they will get a chance to deliver these.

For the East End Crusaders Boys Football Team, it's a team that's made up of parishes throughout the East End, St. Pete's Sacred Heart. Councilman Martoni, a lot of Word of God boys were part of this team, so you can be proud of this, the accomplishments here, St. Therese, St. Rosalia's, Carlow, and St. Scholastica.

In recognition of your outstanding athletic ability shared with your teammates, contributing to the team's outstanding season record, capturing the Southern Section Championship to become the Catholic Diocese champions, proud accomplishments worthy of our County of Champions. In recognition of your distinguished endeavors and accomplishments, which have earned the esteem of the citizens of Allegheny County, this achievement has conferred honor upon the county to be shared by each of us.

We will present this to Mr. John Mulroy, who many of you see around this Court House and was a special teams coach for this team. I guess it also makes me feel good because we are going to be honoring Central Catholic in a little bit and I know some of

these kids will be moving up to that in a few years and gives great hope to the future of Central in the future.

Coach Mulroy, congratulations.

MR. MULROY: Thank you, Coach Fitzgerald, who is being a little bit modest. He's the brilliant offensive coordinator of the Crusaders and had a lot to do with our victories this year.

I just want to take a second to thank the three outstanding men who founded the Crusaders five years ago, who decided that kids that went to Catholic school deserved to participate in the great sport of football. At that time Mr. George Smith, Mr. Doug Campbell and Mr. Jim Cauley organized the East End Crusaders and literally started from the first helmet and the first pad and saw it grow each year until the fruits were borne out by this year. I can never thank them enough for allowing me to participate as well as the rest of the people.

The other group that we have to mention are by far the greatest group of parents that I have ever been around in my life. If there is such a thing as 100 percent support, then we have experienced it each of the years that I have been involved.

Last, but not least, just a fabulous, outstanding group of young men that came together this year and as well as their heroes, the Central Vikings here.

So thank each and every one of you.

MR. MASCIO: Our next proclamation on the agenda is a proclamation recognizing and commending the North Allegheny Girls Crosscountry Team upon capturing the WPIAL AAA championship for the third consecutive year.

Sponsored by Council Member Jan Rea.

MS. REA: Thank you.

Mr. Bozzuto, who is the athletic director for the North Allegheny School District, is joining me.

I also just wanted to say to all of you, I know how hard you all worked to achieve the level of success you have achieved. I have two sons who both played high school and college sports and my son, my youngest son right now is on the farm team for the Pittsburgh Pirates, so I know what you do and I know what your parents sacrifice and I really do congratulate each of you.

Mr. Bozzuto, this is the proclamation for the North Allegheny Girls Crosscountry team.

In recognition of your outstanding athletic ability shared with your teammates, contributing to the team's outstanding season record, capturing the 2003 WPIAL AAA Championship for the third consecutive year, all proud accomplishments worthy of our County of Champions. In recognition of your distinguished endeavors and accomplishments which have earned the esteem of the citizens of Allegheny County. This achievement has conferred honor upon the county to be shared by each of us.

Do you want to say a few words?

MR. BOZZUTO: Thank you.

On behalf of our girls crosscountry team, our administrative team, and our Board of School Directors, we thank you for this honor. We are extremely proud of our outstanding student athletes that excel in the classroom and in their athletic arena.

As Jan Rea stated, that we won three WPIAL championships. We have won numerous state championships since 1960, but we are most proud of the academic accomplishments that our girls and our boys crosscountry team make.

For example, our girls crosscountry team has qualified for the athletic directors all academic team, which means they have a team GPA of more than 3.5.

So on behalf of our girls crosscountry team and our coaching staff, we thank you very much.

MR. MASCIO: Our next proclamation is a proclamation recognizing and commending the North Allegheny Boys Crosscountry Team. This is also sponsored by Council Member Jan Rea.

MS. REA: Thank you.

In recognition of your outstanding athletic ability shared with your teammates, contributing to the team's outstanding season record, a proud accomplishment worthy of our County of Champions. In recognition of your distinguished endeavors and accomplishments which have earned the esteem of the citizens of Allegheny County, this achievement has conferred honor upon the county to be shared by each of us.

If you can say a few words about that, too, please.

MR. BOZZUTO: On behalf of our boys crosscountry team, we thank you for this honor. They, too, have qualified for the athletic directors all academic team, which means 3.5 or greater GPA during their sports season.

They, too, have won numerous WPIAL and PIAA championships since 1960, and I know each year they look forward to continuing the outstanding tradition that our crosscountry team has brought to our school and to our county.

Thank you very much.

MR. MASCIO: Our next proclamation is a proclamation recognizing and commending Taylor Allderdice High School boys crosscountry team upon capturing the City League Championship.

Sponsored by Council Member Rich Fitzgerald.

CHAIRMAN FITZGERALD: Coach Flynn has been here a number of times. It seems like every year his teams win the championship both in swimming and in crosscountry. In fact, I am sure he left swimming practice early tonight to come down here to bring his team down here and honor them. So we are glad to have you back, Coach. You do a great job at Taylor Allderdice.

As Councilwoman Rea said, we know the hard work that goes in here. I personally see this all the time. Any time you go through Schenley Park in the summer or in the fall, you're always sidestepping the Allderdice crosscountry team as they are working very hard running the trails, running through the park. So I can testify to the fact that they have worked hard and earned this championship.

In recognition of your outstanding athletic ability shared with your teammates, contributing to the team's outstanding season record, capturing the 2003 City League Championship, proud accomplishments worthy of our County of Champions, in recognition of your distinguished endeavors and accomplishments which have earned the esteem of the citizens of Allegheny County, this achievement has conferred honor upon the county to be shared by each of us.

Sponsored by County Council this 16th day of December 2003.

Coach Flynn, congratulations.

MR. FLYNN: I'd like to thank the members of Council. It's a great privilege to work with these fine young men and women.

I'd like the seniors to step forward to be recognized because they have been with the team for four years. The girls have

won five championships in a row. The guys have one 10 championships in a row. So these seniors have been champions their entire four years; and I think, as was mentioned earlier, it's also a privilege to work with some fine academic students. I teach AP biology at Allerdice and many of these students are in my class. They are fine students. Sarah McKenny is going to Johns Hopkins and others are looking at North Carolina and Penn State and Pitt, other fine universities.

So, once again, I want to thank you for having us and it's a honor to be here with the other teams that are being so recognized.

Thank you.

MR. MASCIIO: Our next proclamation is a proclamation recognizing and commending Central Catholic High School Varsity Football Team upon capturing the WPIAL AAAA championship.

Sponsored by Council Member Rich Fitzgerald.

MR. FITZGERALD: If we could have the members of the Central Catholic team. I see principal Brother Richard here and Athletic Director Larry Michelangelo. I see Coach Walker is here, Coach Totten, Coach Kennedy, if you guys could come up.

As they are coming forward, as my fellow members of Council might know, and I'm sure they do, this one is a very special one to me. Having played at the school 30 years ago, and we weren't good enough to win a championship, but you guys certainly were and you made us very, very proud. It was a lot of fun to be at Heinz Field a couple weeks ago as we watched you guys win that championship and it was fun to watch you all year, and the dedication that you guys brought and the pride that you brought to the community are really something. I want you to know as I stand here, that there's a lot of people on your behalf that I'm speaking for today. I'd just like to present this proclamation.

In recognition of your outstanding athletic ability shared with your teammates, contributing to the team's outstanding season record, capturing the 2003 WPIAL AAAA championship, all proud accomplishments worthy of our County of Champions. In recognition of your distinguished endeavors and accomplishments, which have earned the esteem of the citizens of Allegheny County, this achievement has conferred honor upon the county to be shared by each of us.

I know some of the seniors came tonight. I know you have basketball games and we have three spokesmen, Brother Richard, Mr. Mike, Coach Walker, I present this to you guys.

BROTHER RICHARD: Members of Council, on behalf of the students of Central Catholic High School we are very grateful for the recognition given to our football time. The student athletes have worked very hard and have taken great pride in representing Allegheny County during the season, during the WPIAL championships and during the state playoffs. We are very grateful for this proclamation. It will be proudly displayed in our school library.

I'd like to ask Coach Walker to say a few words.

MR. WALKER: Really, just to reiterate what Brother Richard said, to thank the Council really on behalf of everybody, especially the players, the rest of my coaching staff who are a major part of our success, some parents in attendance tonight that we owe a lot of thanks, to members of our Parents Club, but the thing that I can say about these guys that's probably most accurate, we had a lot of success on the field this year, and they are very

good athletes. They are very good football players, but the reason why we went so far is they played as a team and they are even better people. They are great young men. So that's a tribute to them. They are a fine example for Central Catholic, and I know I speak on behalf of my staff to say that we are very proud to really have the opportunity to work with them.

Thank you very much. I appreciate it.

MR. MASCIO: Our next proclamation is a proclamation recognizing and commending Pine-Richland High School Varsity Football team upon capturing the WPIAL AAA championship..

Sponsored by Council Members Jan Rea and Tom Shumaker.

MR. SHUMAKER: In recognition of your outstanding athletic abilities shared with your teammates, contributing to the team's outstanding season record, capturing the 2003 WPIAL AAA Championship, proud accomplishments worthy of our County of Champions, in recognition of your distinguished endeavors and accomplishments which have earned the esteem of the citizens of Allegheny County, this achievement has conferred honor upon the county to be shared by each of us.

I'd like to personally congratulate the Pine-Richland Rams and Coach Clair Altemus, that not only won the WPIAL, they came within one point of winning the state championships in a very tough fought game.

In addition, you have to help me out, how long have you been AAA?

MR. ALTEMUS: Around 10 years.

MR. SHUMAKER: I also want to personally recognize Neal Walker of Pine-Richland, who just the other day was recognized as a class AAA player of the year by the Post-Gazette.

Congratulations.

MR. ALTEMUS: Well, I would like to say thank you to the County of Allegheny and the Council for having us down here tonight and recognizing us. You know, we have a great following of people and I think the game we played up at Hershey, they claim it to be an epic. I'm not sure what an epic is. I'm going to have to look it up in a dictionary. People from all over the state have come forward and have said what an entertaining game it was. They're sorry we were on the wrong side of it but a football team like Council and like the county, needs great leadership and these three guys here in front of me tonight represent our captains and they have been with me for three years on our varsity level and we are going to greatly miss them in our program, not only for their leadership, but for the people they are. They are just great young men. Their parents are here tonight and that's a tribute to the parents. Someone once said football develops character. I disagree with that. It reveals character. Character is developed at home and we feel very, very fortunate and I personally feel fortunate that we have the great family bonding in leadership that produces young men like this.

So, again, thank you to everybody. Have a great holiday and thanks for everything.

MR. MASCIO: Our next proclamation on the agenda is a proclamation recognizing and commending the Perry High School Varsity Football team upon capturing the Pittsburgh City League Championship.

This is sponsored by Council Member Brenda Frazier.

MS. FRAZIER: Good evening.
Perry's coach, Coach Bill Gallagher.

Let me first say congratulations. We tried to get you here last year because you were just as good last year, too, I remember, but I do want to read this proclamation to you because we are so proud of what you have accomplished in the City League.

In recognition of your outstanding athletic abilities shared with your teammates, contributing to the team's outstanding season record, capturing the 2003 City League Football Championship, proud accomplishments worthy of our County of Champions. In recognition of your distinguished endeavors and accomplishments which have earned the esteem of the citizens of Allegheny County, this achievement has conferred honor upon the county to be shared by each of us.

As the sponsor, this is presented on behalf of the citizens of Allegheny County by County Council this 16th day of December 2003.

Mr. Gallagher.

MR. GALLAGHER: On behalf of all players of Perry, we'd like to thank Ms. Frazier and the County Council for recognizing us today.

One of the great things about being a football coach and a teacher is we get to see these young men outside of the classroom, and I know in the past couple years the youth of America today takes a beating, and I would challenge anyone to come into our school and see what a fine, young group of men these guys are, not only in the classroom, but leaders throughout the whole school and, you know, a tremendous group of individuals and the best thing about these individuals is they came together as a team.

Our seniors are graduating with a three year record of 37 and four. Unfortunately two years previous we lost to the state champions, Hopewell and West Allegheny; and these young men will carry a piece of Perry with them forever, but the best thing is each one of these young men will leave a piece of themselves with Perry and we are just very, very proud of them and thank you again, Councilwoman Frazier.

MR. MASCIIO: The next proclamation is a proclamation recognizing and commending Schenley High School Girls Varsity Soccer Team upon capturing the Pittsburgh City League Championship.

This is sponsored by Council Member William Russell Robinson.

CHAIRMAN FITZGERALD: I don't know that they are going to be able to be here this evening, so we will postpone that one to a later time.

We do want to do District 8 City League. I don't know if Mr. Vern Phillips is here. Mr. Phillips, if you would come up.

Vern Phillips representing the City Athletic League, District 8, in the PIAA. We want to recognize all the hard work you have done. We have seen your champions here this evening and they have done a great job both in crosscountry and football and all the sports.

In recognition of your beneficial guidance and influence upon the young men and women, urging them to prevail in academics as well as athletics, leading them through another excellent season, proud accomplishments worthy of our County of Champions. In recognition of your distinguished endeavors and accomplishments, which have earned the esteem of the citizens of

Allegheny County, this achievement has conferred honor upon the county to be shared by each of us.

Sponsored by Allegheny County Council this 16th day of December 2003.

Congratulations, Mr. Phillips.

MR. PHILLIPS: Thank you very much.

First of all, I'd like to take the opportunity to recognize Council for honoring the student athletes of the Pittsburgh Public Schools and those student athletes here from the WPIAL. I think it's extremely important that we, as adults, remain focused and recognize when we have the opportunity the young people of our community. These are representatives who have done well, and I hope you will continue to do so.

I also would like to thank the coaches, the parents, and other supporters of our student athletes who may be here and those who have also gone for making their children available to our schools, our coaches and to our programs. I firmly believe that we, in the area of interscholastic athletes, help to build responsible citizens as we continue to focus on that in the Pittsburgh Public Schools and other districts around.

Thank you again for this opportunity to recognize our young people. Thank you for the Pittsburgh Public Schools.

MR. MASCIO: We have one more proclamation, actually two more proclamations.

Proclamation recognizing and commending Mr. Guy Tumolo for his dedication and leadership in serving as Chief of Staff/Budget Director for the Allegheny County Council.

Sponsored by Council Member Rick Schwartz.

MS. FRAZIER: It gives me great pleasure and a little sadness to see you go.

Whereas, Allegheny County and the Commonwealth of Pennsylvania has been blessed with exemplary leadership throughout the history of our great nation, with visionaries of great knowledge and determination making invaluable contributions to our communities, our country and the world; and

Whereas, Mr. Guy Tumolo was selected as Allegheny County's first Chief of Staff/Budget Director, a landmark in government history after 212 years of the three Commissioner form of government, bringing a wealth of county experience to help guide the Council; and

Whereas, chosen by the seated Council members for this task, his selection reflected great respect and confidence in his abilities in budget and finance, as well as his abilities with staff and the legislative process. As Council's first Chief of Staff, he provided unquestionable leadership in that role; and

Whereas, during Mr. Tumolo's tenure with Council, he gave untiring service to this county and the Council, implementing new processes and procedures to ensure that the members were informed about issues that would affect them, understood legislation that would be provided to them for approval, and provided detailed information on the budget, assisting Council in understanding their power and use of this responsibility within the new form of government.

Now, therefore, be it resolved that the Allegheny County Council hereby recognizes its first Chief of Staff/Budget Director, Mr. Guy Tumolo, for his tremendous contributions to the cause of good government, serving this Council with the utmost

integrity. The citizens of Allegheny County and this Council are truly indebted to him for his exemplary leadership in launching this new form of government.

Thank you.

MR. TUMOLO: I will be very brief. They want to take a picture and get on with the festivities here. This is what happened, I took a few days off this week and the staff went and did this to me, told me about it today.

I have spent a lot of years in this room. The last four have been really the most interesting. We have had a new form of government created and it has grown over four years. Now it's time for me to move on to something else. Council can continue in its growth to serve the people of Allegheny County.

I can say that I have been very lucky to have worked with elected officials who have truly been interested in the citizenry and representing them and in doing what the community at large needs, both under the Commission form of government and under this new Council form of government.

I wish you all well. I will be around for a few more years anyhow, but I will be across the hall and won't be coming up to this room. Well, I guess I will be coming up to this room, but I will be able to sit in the back now.

Thank you all. I appreciate your good wishes and wish you all a Merry Christmas and Happy New Year.

MR. MASCIO: We have one more proclamation that's not on the agenda submitted by Councilman William Russell Robinson. I believe he wants me to read it into the record.

It's a proclamation recognizing and commending the RMU/Veteran Entrepreneurship project.

Whereas, Allegheny County is blessed with individuals and organizations dedicated to enhancing the quality of life in our neighborhoods and the community as a whole; and

Whereas, Robert Morris University and the Veterans Corporation have partnered in the RMU/Veteran Entrepreneurship project as part of a national initiative to encourage and assist Veterans who want to start a new business or grow their current business; and

Whereas, the Veterans Entrepreneurship project encompasses 10 counties in Western Pennsylvania and is part of the National Veteran Business Corporation, the only organization fully dedicated to Veteran businesses and Veterans interested in entrepreneurship designed to provide critical support and tools for Southwestern Pennsylvania Veterans who want to start up new businesses and/or reinvigorate existing businesses; and

Whereas, since May 2003 66 Veterans have enrolled in the 13-week session entrepreneurship program, 34 participants graduated in August of 2003 and 32 more will graduate today;.

Whereas, the Veterans Entrepreneurship project continues to expand as the new year will begin with 75 Veterans participating in three different 13-week sessions utilizing the Kaufmann Foundation nationally acclaimed fast track entrepreneurship curriculum; and

Whereas, by participating in the program, eligible Veterans participate in one of the most comprehensive entrepreneurial training packages offered in Pennsylvania providing information on business startup, planning for growth in government contracts. Graduating Veterans also receiving new personal computer

with all necessary business software to aid them in their own business development, creating economic opportunities which, in turn, increases tax revenues and community stability for this region.

Now, therefore, be it resolved that the Allegheny County Council hereby recognizes, commends and joins the RMU/Veteran Entrepreneurship project in the celebration of their accomplishments and the accomplishments of their graduates whose strength, character and leadership are evidenced in their military service which will ensure their continued success and empowerment as community business owners and entrepreneurs.

Sponsored by Council Member William Russell Robinson.

CHAIRMAN FITZGERALD: Before we move on, I'd just like to take a moment to thank Heather Scalise and Joe Catanese. As you saw, there were an awful lot of people that were brought through here and I think it's one of the things our Council can do to be proud of, to honor our young people and recognize the young people throughout this country that have been champions and I know we probably missed a few as we started this process about a month ago, and be it advised out there for the public to know that anybody that we missed, we will bring them in in January. There were tennis people we heard. There were other soccer teams we did not recognize. We will do that and it's one of the things we can do best, to try to use this Council to recognize what young people do in their excellence, but I wanted to commend our staff for doing a good job.

Ms. Rea.

MS. REA: I wondered, because I think it does take a lot of time and effort for these teams to come into this city, if somehow we could work with maybe our Parks Department and give these kids possibly a pass, one-day pass to a wave pool or to a ski slope or to a golf course, which might not be the best idea, but just to do something so that when they come down here, you know, just say thank you to them because I just think it would be nice to try to find something that we can hand to them and so they can start using the county facilities and maybe encourage them to do that. I'd like maybe the Parks Department to look into that or someone on our staff to look into that.

CHAIRMAN FITZGERALD: That's a good idea and we can certainly ask them if they would please consider that.

MS. REA: Thank you.

CHAIRMAN FITZGERALD: Public comment.

MR. MASCIO: There is no public comment on agenda items.

CHAIRMAN FITZGERALD: Approval of minutes.

MR. MASCIO: Bill 1360-03, a motion to approve the minutes of the regular meetings of council held on November 5 and November 18, 2003.

CHAIRMAN FITZGERALD: Motion to approve?

DR. MARTONI: So moved.

MS. FRAZIER: Second.

CHAIRMAN FITZGERALD: All in favor saying by saying aye.

(Chorus of ayes.)

CHAIRMAN FITZGERALD: Opposed.

(No response.)

CHAIRMAN so carried.

FITZGERALD: Unfinished business.

MR. MASCIO: Bill No. 1354-03, Resolution authorizing the County of Allegheny Law Department, in conjunction with the Public Works Department, to accept ownership of the CSX Transportation Company corridor between Glenshaw and Bakerstown, in the event that it becomes available in the future.

This was submitted by the County Manager.

CHAIRMAN FITZGERALD: Mr. Robinson.

MR. ROBINSON: Mr. Chairman and members of Council, based on our staff report and unanswered questions that I believe many members of Council still have concerning this transfer, and also knowing that we are going to have a transition in government in a couple weeks, I respectfully would like to make a motion that we have staff answer the outstanding questions for members of Council and that we address this issue at a later date.

MR. FONTANA: Second.

CHAIRMAN FITZGERALD: Mr. Shumaker.

MR. SHUMAKER: Is there anyone from the County Manager's office who could address this?

I want to give you a chance to think about my question. Is there any harm in waiting? I just want to make sure that we not for forfeiting any rights by -- Mr. Robinson's request seems reasonable enough, but I want to make for sure that there aren't any hidden costs associated with waiting.

MR. NAPARSTEK: I don't know the answer to that question.

MR. SHUMAKER: Thank you very much.

CHAIRMAN FITZGERALD: It will be Sunset to be reintroduced as new legislation in the new term.

MR. ROBINSON: There's a motion on the floor.

CHAIRMAN FITZGERALD: Motion and second. The motion is to?

MR. ROBINSON: Refer this piece of legislation to staff and for them to report back to us.

CHAIRMAN FITZGERALD: Seconded. Any discussion?

(No response.)

CHAIRMAN FITZGERALD: Let's call a voice vote. All in favor signify by saying aye.

(Chorus of ayes.)

CHAIRMAN FITZGERALD: Opposed?

MR. SHUMAKER: Opposed.

MR. MASCIO: So noted.

CHAIRMAN FITZGERALD: Note that Councilman Shumaker opposed.

1298-03.

MR. MASCIO: Bill No. 1298-03, an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Ordinance No. 14-01, approved February 6, 2001, broadening the qualifications of the Longtime Senior Citizen Owner/Occupant Tax Relief Program, by providing for a 30 percent discount on the gross or face amount of Allegheny County real property taxes.

Sponsored by Council Members DeFazio, Fenton, Fitzgerald, Fontana, Frazier, Jabbour, Kendrick, Martoni and Schwartz.

CHAIRMAN FITZGERALD: Do I have a motion to approve?

MR. FONTANA: Motion to approve.

CHAIRMAN FITZGERALD: Second?

MR. DE FAZIO: Second.

CHAIRMAN FITZGERALD: Discussion?

Mr. Fontana.

MR. FONTANA: It was discussed long ago in Committee. I'm sure everyone knows that this is Act 77 with an increase from 25 percent to 30 percent discount.

CHAIRMAN FITZGERALD: All right. Further discussion?
(No response.)

CHAIRMAN FITZGERALD: Let's have a roll call vote on this.

MR. MASCIO: Bill No. 1298-03, Mr. DeFazio?

MR. DE FAZIO: Yes.

MR. MASCIO: Mr. Fenton?

MR. FENTON: Yes.

MR. MASCIO: Mr. Fontana?

MR. FONTANA: Yes.

MR. MASCIO: Mr. Francis?

MR. FRANCIS: Yes.

MR. MASCIO: Ms. Frazier?

MS. FRAZIER: Yes.

MR. MASCIO: Mr. Gastgeb?

MR. GASTGEB: Yes.

MR. MASCIO: Mr. Jabbour?

MR. JABBOUR: Yes.

MR. MASCIO: Dr. Martoni?

DR. MARTONI: Yes.

MR. MASCIO: Mr. Price?

MR. PRICE: Yes.

MR. MASCIO: Ms. Rea?

MS. REA: Yes.

MR. MASCIO: Mr. Robinson?

MR. ROBINSON: Aye.

MR. MASCIO: Mr. Shumaker?

MR. SHUMAKER: Yes.

MR. MASCIO: Mr. Fitzgerald, Chair?

CHAIRMAN FITZGERALD: Yes.

MR. MASCIO: Ayes, 13; no's, zero. The Bill passes.

CHAIRMAN FITZGERALD: Bill No. 1299-03.

MR. MASCIO: Bill No. 1299-03, an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Ordinance No. 29-02, approved June 4, 2002, entitled the Homestead and Farmstead Exclusion or Exclusion Program for Homestead and Farmstead Property by providing for a \$15,000 homestead and farmstead exclusion.

Sponsored by Council Members DeFazio, Fenton, Fitzgerald, Fontana, Frazier, Jabbour, Kendrick, Martoni and Schwartz.

MR. FONTANA: Motion to approve.

MR. DE FAZIO: Second.

CHAIRMAN FITZGERALD: Discussion?

(No response.)

CHAIRMAN FITZGERALD: Call the roll.

MR. MASCIO: On Bill No. 1299-03, Mr. DeFazio?

MR. DE FAZIO: Yes.

MR. MASCIO: Mr. Fenton?

MR. FENTON: Yes.

MR. MASCIO: Mr. Fontana?

MR. FONTANA: Yes.
MR. MASCIO: Mr. Francis?
MR. FRANCIS: Yes.
MR. MASCIO: Ms. Frazier?
MS. FRAZIER: Yes.
MR. MASCIO: Mr. Gastgeb?
MR. GASTGEB: Yes.
MR. MASCIO: Mr. Jabbour?
MR. JABBOUR: Yes.
MR. MASCIO: Dr. Martoni?
DR. MARTONI: Yes.
MR. MASCIO: Mr. Price?
MR. PRICE: Yes.
MR. MASCIO: Ms. Rea?
MS. REA: Yes.
MR. MASCIO: Mr. Robinson?
MR. ROBINSON: Aye.
MR. MASCIO: Mr. Shumaker?
MR. SHUMAKER: Yes.
MR. MASCIO: Mr. Fitzgerald, Chair?
CHAIRMAN FITZGERALD: Yes.
MR. MASCIO: Ayes, 13; no's, zero. The Bill passes.
CHAIRMAN FITZGERALD: Bill No. 1355-03.
MR. MASCIO: Bill No. 1355-03, Resolution of the
County of Allegheny amending the grants and special account budget
for 2003 (Submission No. 21-03). (Question read back.)
Submitted by the County Manager.
MR. FONTANA: Motion to approve.
MS. FRAZIER: Second.
CHAIRMAN FITZGERALD: Discussion?
Mr. Fontana, do you want to speak to this?.
MR. FONTANA: This is three grants for the Department
of Human Services, one for mental retardation, which was the big
amount, the \$187 million for drug and alcohol operations for the
Department of Human Services; and for Emergency Services, it's
called Residential Search Maze Project for \$10,000. I guess that's
for finding criminals in holes, that sounds like it anyway.
CHAIRMAN FITZGERALD: We can take credit for that.
Any further discussion?
(No response.)
CHAIRMAN FITZGERALD: Call the roll.
MR. MASCIO: Bill No. 1355-03, Mr. DeFazio?
MR. DE FAZIO: Yes.
MR. MASCIO: Mr. Fenton?
MR. FENTON: Yes.
MR. MASCIO: Mr. Fontana?
MR. FONTANA: Yes.
MR. MASCIO: Mr. Francis?
MR. FRANCIS: Yes.
MR. MASCIO: Ms. Frazier?
MS. FRAZIER: Yes.
MR. MASCIO: Mr. Gastgeb?
MR. GASTGEB: Yes.
MR. MASCIO: Mr. Jabbour?
MR. JABBOUR: Yes.
MR. MASCIO: Dr. Martoni?
DR. MARTONI: Yes.

MR. MASCIO: Mr. Price?

MR. PRICE: Yes.

MR. MASCIO: Ms. Rea?

MS. REA: Yes.

MR. MASCIO: Mr. Robinson?

MR. ROBINSON: Aye.

MR. MASCIO: Mr. Shumaker?

MR. SHUMAKER: Yes.

MR. MASCIO: Mr. Fitzgerald, Chair?

CHAIRMAN FITZGERALD: Yes.

MR. MASCIO: Ayes, 13; no's, zero. The Bill passes.

CHAIRMAN FITZGERALD: New Business, Ordinances and Resolutions, 1357-03.

MR. MASCIO: 1357-03, an Ordinance amending the Allegheny County Administrative Code, Article III, Legislative Branch, Section 303.01(A), Organization Meeting-Date, Time, Place, by eliminating a requirement for time and place of County Council's Organizational Meeting.

Sponsored by Council Member Rich Fitzgerald.

CHAIRMAN FITZGERALD: I will just speak to this. This is really to clean up some things in the Administrative Code that was brought to my attention by our Chief Clerk. In discussions we have had over the past few weeks, people wanted to have our swearing in at Soldiers and Sailors at three o'clock to kind of coincide with the new Chief Executive swearing in, which is to occur at the same place at noon, but it is written into the Administrative Code that our first business meeting, our reorganization meeting is to occur in this room at five o'clock on the first business day of the new year, the new session.

So just as a matter of cleaning up the language, we will make it so that we can decide when the meeting is as long as we do it on the first business day. I think that's the thing we need to do.

For clarification, there's a new piece of business. We're going to have to vote to waive the second reading. If that should occur, then we can vote this Ordinance to change the Administrative Code.

I make a motion to approve 1357-03.

MR. FONTANA: Second to waive the second reading.

MR. MASCIO: Motion is to waive the second reading.

CHAIRMAN FITZGERALD: Can we do this by roll call vote?

Any discussion on this, any questions?

DR. MARTONI: Just a question on procedure. Wouldn't it be better if one of us made the motion, being you're the Chair? Is the Chair allowed to make motions? I just want to be clear.

MR. FITZGERALD: You might have a point.

MR. FONTANA: Motion to approve.

CHAIRMAN FITZGERALD: Second?

MS. FRAZIER: Second.

CHAIRMAN FITZGERALD: Any discussion?

(No response.)

CHAIRMAN FITZGERALD: Call the roll.

MR. MASCIO: On the motion to waive the second reading on Bill No. 1357-03, Mr. DeFazio?

MR. DE FAZIO: Yes.

MR. MASCIO: Mr. Fenton?

MR. FENTON: Yes.
MR. MASCIO: Mr. Fontana?
MR. FONTANA: Yes.
MR. MASCIO: Mr. Francis?
MR. FRANCIS: Yes.
MR. MASCIO: Ms. Frazier?
MS. FRAZIER: Yes.
MR. MASCIO: Mr. Gastgeb?
MR. GASTGEB: Yes.
MR. MASCIO: Mr. Jabbour?
MR. JABBOUR: Yes.
MR. MASCIO: Dr. Martoni?
DR. MARTONI: Yes.
MR. MASCIO: Mr. Price?
MR. PRICE: Yes.
MR. MASCIO: Ms. Rea?
MS. REA: Yes.
MR. MASCIO: Mr. Robinson?
MR. ROBINSON: Aye.
MR. MASCIO: Mr. Shumaker?
MR. SHUMAKER: Yes.
MR. MASCIO: Mr. Fitzgerald, Chair?
CHAIRMAN FITZGERALD: Yes.
MR. MASCIO: Ayes, 13; no's, zero. The motion to

waive the second reading passes.

CHAIRMAN FITZGERALD: On the Bill?
DR. MARTONI: I move we approve the Bill.
MR. DE FAZIO: Second.
CHAIRMAN FITZGERALD: We have a second.

Discussion?

(No response.)

CHAIRMAN FITZGERALD: Call the roll.
MR. MASCIO: Bill No. 1357-03, Mr. DeFazio?
MR. DE FAZIO: Yes.
MR. MASCIO: Mr. Fenton?
MR. FENTON: Yes.
MR. MASCIO: Mr. Fontana?
MR. FONTANA: Yes.
MR. MASCIO: Mr. Francis?
MR. FRANCIS: Yes.
MR. MASCIO: Ms. Frazier?
MS. FRAZIER: Yes.
MR. MASCIO: Mr. Gastgeb?
MR. GASTGEB: Yes.
MR. MASCIO: Mr. Jabbour?
MR. JABBOUR: Yes.
MR. MASCIO: Dr. Martoni?
DR. MARTONI: Yes.
MR. MASCIO: Mr. Price?
MR. PRICE: Yes.
MR. MASCIO: Ms. Rea?
MS. REA: Yes.
MR. MASCIO: Mr. Robinson?
MR. ROBINSON: Aye.
MR. MASCIO: Mr. Shumaker?
MR. SHUMAKER: Yes.
MR. MASCIO: Mr. Fitzgerald, Chair?

CHAIRMAN FITZGERALD: Yes.

MR. MASCIO: Ayes, 13; no's, zero. The Bill passes.

CHAIRMAN FITZGERALD: New Business.

MR. ROBINSON: Mr. Chairman.

CHAIRMAN FITZGERALD: Mr. Robinson.

MR. ROBINSON: I think we need to check with Mr.

Cambest to make sure that since we are making this change, that we notify the public in whatever form we need to that the meeting that they had anticipated would be held in this chamber on January the 2nd, 2004, at 5:00 p.m., will not be held here, and to tell them where it will be held.

Thank you, Mr. President.

CHAIRMAN FITZGERALD: Mr. Cambest and Mr. Mascio, if you could take care of that.

MR. MASCIO: I already have that prepared. I didn't want to send it out until it was official. I do have a newspaper advertisement to run in the Trib, Post-Gazette and the Courier that will inform the people of the time and place of that meeting, Friday, January 2nd, three o'clock at Soldiers and Sailors. It's the first business day.

CHAIRMAN FITZGERALD: We have to stay with the date. We can move the place but we have to do it on January 2nd. That's in the Charter. The other stuff is kind of we did, but the Charter says that.

New Business, motions, 1358-03.

MR. MASCIO: Motion of the Council of Allegheny County amending the Rules of Allegheny County Council by eliminating the requirement for time and place of Council's organizational meeting.

Sponsored by Council Member Rich Fitzgerald.

CHAIRMAN FITZGERALD: Again, this is just cleaning up, being consistent, we have to change the Rules of Council accordingly with the Administrative Code.

Would someone entertain a motion.

DR. MARTONI: So moved.

MR. DE FAZIO: Second.

CHAIRMAN FITZGERALD: We could do this by voice vote. All in favor signify by saying aye.

(Chorus of ayes.)

CHAIRMAN FITZGERALD: Opposed?

(No response.)

CHAIRMAN FITZGERALD: Finally, one last thing. To make a motion to have the swearing in on January 2nd at three o'clock, the swearing in and the organizational meeting at Soldiers and Sailors at three o'clock on January 2nd, just to make sure everybody legally knows.

MR. FONTANA: So moved.

DR. MARTONI: Second.

CHAIRMAN FITZGERALD: All in favor signify by saying aye.

(Chorus of ayes.)

CHAIRMAN FITZGERALD: Opposed?

(No response.)

CHAIRMAN FITZGERALD: Thank you.

Mr. Fontana.

MR. FONTANA: Thank you.

I have just a couple things. In front of you, you should have a piece of paper that says "appointment" on it. I

received a letter from Mr. James Skindzer who is serving on the Property Assessment Appeals and Review Board at the present time, has been serving for the last four years, I guess it's been, and he is an appointment from this Council.

Mr. Skindzer is a very dedicated member of this Board. He presently serves as the chairman of the Board and he has the desire to remain on the Board for another term. I highly recommend Mr. Skindzer for this appointment to stay on the Appeals Board and I would ask all of you to approve.

DR. MARTONI: I will second.

CHAIRMAN FITZGERALD: Discussion?

Mr. Robinson.

MR. ROBINSON: Mr. Chairman and members of Council, a question as to procedure. Is this the procedure that we normally use with reappointments?

CHAIRMAN FITZGERALD: Mr. Fontana.

MR. FONTANA: This has been the procedure that we have used in the past. If someone wants to remain on, they send us a letter and we put a motion to approve if we so desire.

There will be others coming. There's some other terms expiring, but they are appointments. One that I know of that the Chief Executive, we split the appointments on that particular Board between Council and the Executive, so there will be others coming. I assume, I don't know if anybody has been nominated yet from the Executive side, but this gentleman has been on there and has done a fine job.

MR. ROBINSON: My reason for raising this does not relate to Mr. Skindzer's qualifications. I take your word that he's a dedicated public servant. I was concerned about other vacancies that might exist on Boards or Authorities and whether or not other people who want to remain on those Boards or Authorities may be encouraged by Mr. Skindzer's initiative to submit to members of Council a letter indicating they would like to have an opportunity to serve again, and the Council maybe being in an awkward position of not clarifying where we have prerogatives to do what you're suggesting, and I'm certainly am willing to support it, but I am just concerned about process and procedure. Example: If someone who is on the Housing Authority Board would like to continue and their term has ended, if they were to send me a letter to that effect, I would be concerned whether or not it would be appropriate, based on my assessment of their ability, to ask this Council to, indeed, reappointment them knowing full well that they were originally appointed by the County Executive with the approval of this Council.

MR. FONTANA: Just to respond to that, Council Member Robinson. We have very few appointments like this, and this particular Board is probably the only one. Everyone else, if they are appointed by the Executive, go through the Executive and it comes through that process. This just happens to be one of our appointments to this particular Board, so it doesn't happen very often.

CHAIRMAN FITZGERALD: Ms. Frazier.

MS. FRAZIER: Is there any reason why it has to be done this evening?

MR. FONTANA: Time.

MS. FRAZIER: Time is of the essence. In terms of if we wouldn't approve it tonight, what would happen at the next

meeting? If everybody got an opportunity to see everything and talk about it, what would happen to the Board?

MR. FONTANA: Well, first of all, his term is up and there's other terms up. My calculation would be they wouldn't be able to have a quorum and they wouldn't be able to conduct business.

MS. FRAZIER: When is their next meeting?

MR. FONTANA: I assume the first of the year, first Thursday of the new year, is that the next meeting, Joe?

MR. CATANESE: They have one this Thursday.

MR. FONTANA: His term is not up to December 31st.

MR. CATANESE: They have to reorganize. They meet every other Thursday. They have a reorganizational meeting.

CHAIRMAN FITZGERALD: On this Board, if he is not renominated, does he go off the Board? Like some Boards, if there is a vacancy that isn't filed, they stay on until the vacancy is filled.

MR. FONTANA: In the past we have asked them to submit letters. I guess I took the initiative to do that. I asked them to let us know. If you recall, Mr. Valicente actually last year was going to go off and he sent us a letter to stay on for three months and he ended up staying on the full year. I have asked them to indicate to us whether or not they want to stay on or go off in writing and that's what this process is. I have had, as the person that handles a lot of the assessment issues, I have had no one come to me and say "I want to serve on this Board." As you know, it was a big process to find this group of people and I believe we have a dedicated group and, quite frankly, they don't want to split themselves up. They feel they do a good job and they are holding each other on at this point, which is kind of nice, and with the change of Administration, I think it's a good idea to have some experienced people on there.

Mr. Skindzer is very experienced. He knows a lot about real estate. He teaches real estate. He knows a lot about it; and, as I said, he's the chairman this year. I'm not sure he will be the chairman next year, but he certainly is a dedicated person to this task.

CHAIRMAN FITZGERALD: As a matter of procedure, we are going to have to make a motion first to place this on the agenda before we entertain the motion to vote on this.

Do I have a motion to put this on the agenda?.

DR. MARTONI: I move we place it on the agenda.

MS. REA: Second.

CHAIRMAN FITZGERALD: Discussion on that point?

(No response.)

CHAIRMAN FITZGERALD: We can call a voice vote.

MR. MASCIO: You can call a voice vote.

CHAIRMAN FITZGERALD: All in favor of putting this on the agenda signify by saying aye.

(Chorus of ayes.)

CHAIRMAN FITZGERALD: Opposed?

(No response.)

CHAIRMAN FITZGERALD: It's on the agenda.

Any further discussion on the nomination?

Mr. Gastgeb and Mr. Price.

MR. GASTGEB: Thank you, Chairman Fitzgerald.

I think Wayne made a good case and is informing us as

to what the best procedure is; but just dovetailing on my colleague, Councilman Robinson's original question, I think we have to look at a process a little bit more in detail here; and if I could add, if we could go through this a little bit stronger as we evolve into the new session, but staff could inform us within 30 days, since we have so few appointments and confirmations, and the big difference here is this is an appointment and a confirmation. If we know they are coming up in 30 days, it takes the responsibility off the individual to kind of decide what he needs to do and certainly takes the responsibility off the Committee Chair, who really is acting defacto, because there is no other process, away from it. It truly allows this Council to entertain the incumbent as well as other qualified county citizens, so it allows the whole Council, I think, to get involved in what will be a selection; and again, since we have so few, I would think we would want to do that. Those parameters might be well served, so if I could just ask Joe Cattanesse or Amie Downs to keep that in the back of their minds. I know I would appreciate that.

Thank you.

CHAIRMAN FITZGERALD: Mr. Price.

MR. PRICE: My comments were, again, just to the process and I remember that Mr. DeFazio chaired the Appointment Review Committee when we first had it, and I was a member then and I thought it was a very good Committee in that we got to meet all of the potential appointees and we got to talk to them and address any concerns that we had as to their appointment in the sense of keeping Council informed or issues that might come up.

That Committee, unfortunately, like all the Committees, went away and I'm hopeful with this new year, that we are going to get some Committees back, such as that, so that Council can meet these people and talk to them.

I guess I would like to meet Mr. Skindzer, and I'm not against him by any means. If we don't go through this tonight and they don't get a quorum, then will we have a chance to do this the first thing in January after appointment? I guess that's my question. If we don't approve, is there going to be any problem tonight?

MR. FONTANA: His term is up December 31st. If they meet again, I'm not sure what the timing for our meetings are in this particular case, so I'm not sure that it would do any harm, they just couldn't conduct business in their first meeting. That would be the downfall.

Again, there's another one, I know at least one more up, that won't be obviously confirmed because that has to be done by the Executive. So my concern is they keep the process moving, especially with the change of Administration, the change of the Director over there, the manager, we want to keep things kind of going in the right direction, so that was my intent.

It's my fault, I will take the blame for not having that gentleman come sooner or letting everyone know because I did ask the staff and myself about notifying us 30 days in advance but with the budget and everything, it just wasn't a priority, so I apologize to all of you for that.

CHAIRMAN FITZGERALD: Mr. Cambest, is there anything you could add to that?

MR. CAMBEST: The Section of the Code indicates that reappointment must occur 30 days prior to the expiration of the

current term, so within that 30 days you have to do it; otherwise, he can be reappointed after the 30 days but he can't serve as a member for that period of time. At least the language indicates that if you are going to reappoint, you should reappoint within 30 days of the expiration of the term.

MR. FONTANA: We should have appointed him in November actually.

CHAIRMAN FITZGERALD: 30 days after or 30 days before?

MR. FONTANA: 30 days before.

MR. CAMBEST: Prior to the expiration of the term.

MR. FONTANA: That's the same with the other appointee that's coming from the Executive side.

CHAIRMAN FITZGERALD: Any further discussion?

Ms. Rea.

MS. REA: I guess I understand maybe the process isn't exactly what we would all prefer the process to be, but I think that that Board is a critical Board and this person is willing to continue serving and he is an appointee of this Council, I think that I don't have an issue with moving to approve him tonight. I hope we do that so they can conduct business on the first of the year.

CHAIRMAN FITZGERALD: Mr. Gastgeb.

MR. GASTGEB: Thank you, Chairman Fitzgerald.

I'm not sure, Jack, if you were citing specifically the Property Assessment and Appeals Review Board or just any particular Board or Commission because one of the things that this Council --

MR. CAMBEST: Review Board.

MR. GASTGEB: One of the things this Council needs to know, we learned it with the Health Board, when the term expires, that particular Board, the members stay until confirmation and this is the opposite here, where the Board ceases. So, again, if we had this in advance, we would know the parameters.

Thank you.

CHAIRMAN FITZGERALD: Any further discussion?

Mr. Price.

MR. PRICE: I'm sorry, Mr. Cambest, did you say we can do this or can't do this?

MR. CAMBEST: You should. I'm saying if you're going to reappoint, you should because then they can't sit after December 31st, unlike the Health Board; and as I understand it, then they couldn't have a reorganization meeting because they can't have a quorum. I think that's maybe why they put the language in there.

CHAIRMAN FITZGERALD: Any further discussion?

(No response.)

CHAIRMAN FITZGERALD: Let's call a vote on the motion to approve James Skindzer to serve as a member of the Property Assessment Appeals and Review Board for a term to expire December 31, 2006.

Call the roll.

MR. MASCIO: Mr. DeFazio?

MR. DE FAZIO: Yes.

MR. MASCIO: Mr. Fenton?

MR. FENTON: Yes.

MR. MASCIO: Mr. Fontana?

MR. FONTANA: Yes.

MR. MASCIO: Mr. Francis?

MR. FRANCIS: Yes.
MR. MASCIO: Ms. Frazier?
MS. FRAZIER: Yes.
MR. MASCIO: Mr. Gastgeb?
MR. GASTGEB: Yes.
MR. MASCIO: Mr. Jabbour?
MR. JABBOUR: Yes.
MR. MASCIO: Dr. Martoni?
DR. MARTONI: Yes.
MR. MASCIO: Mr. Price?
MR. PRICE: Yes.
MR. MASCIO: Ms. Rea?
MS. REA: Yes.
MR. MASCIO: Mr. Robinson?
MR. ROBINSON: Aye.
MR. MASCIO: Mr. Shumaker?
MR. SHUMAKER: Yes.
MR. MASCIO: Mr. Fitzgerald, Chair?
CHAIRMAN FITZGERALD: Yes.
MR. MASCIO: Ayes, 13; no's, zero. That Bill passes.
CHAIRMAN FITZGERALD: 1359-03.

MR. MASCIO: Motion, expressing the Sense of Council of Allegheny County, urging the General Assembly to restore funding for the Human Services Development Fund in such amount as to reimburse Allegheny County for the funding advanced to the program and, further, to continue funding for critical programs.

Sponsored by Council Members Robinson, Fitzgerald, Fontana, Frazier, and Jabbour.

CHAIRMAN FITZGERALD: Mr. Robinson, do you want to speak to this one?

MR. ROBINSON: Thank you, Mr. Chairman and members of Council.

This motion is a follow-up to my original concern that the county be made whole by the Commonwealth if and when a decision is made by the General Assembly and the Governor to refund the Human Services Development Fund.

I think it is totally responsible for us to expect and to request from the Commonwealth 100 percent reimbursement where possible, even though we are not the ones who are going to make the final decision as to how much money they make available. I think in being responsible to the people to whom we have a commitment, and that is the people of Allegheny County, and taking into consideration that we want to keep our budget balanced and, where possible, to maximize opportunities to share funds with other parties, that this Sense of Council motion certainly will let the Governor and the General Assembly know that we acted in good faith because it was the right thing to do for our citizens, but we also recognize that the Commonwealth has an obligation to assist us and to certainly reimburse us for any monies that we advanced in good faith to them.

Thank you, Mr. Chairman.

CHAIRMAN FITZGERALD: Motion to approve. Second?

MR. FONTANA: So moved.

MS. FRAZIER: Second.

CHAIRMAN FITZGERALD: Discussion?

(No response.)

CHAIRMAN FITZGERALD: Let's take a voice vote on this.

All in favor signify by saying aye.

(Chorus of ayes.)

CHAIRMAN FITZGERALD: Opposed?

(No response.)

CHAIRMAN FITZGERALD: Notification of contracts.

Mr. Fontana.

MR. FONTANA: Mr. Chairman, I have a quick comment.

Back in May, this Council made a Sense of Council asking the state to grant Grandview Avenue a designation called being a scenic byway, and I wanted everyone to know that that did come through. The state did recognize Grandview Avenue as a scenic byway, which puts them in the position to get more funding, both locally and federally and through the state. We are very happy about that.

I did attend a service, a celebration up there on December 5th in the snow and I got thank you letter from the Mt. Washington Community Development Corporation thanking myself and all of you for that Sense of Council. This is one that did work.

Thank you.

CHAIRMAN FITZGERALD: Let's hope the funding comes through next.

Any other business before we get on to notification of contracts?

(No response.)

CHAIRMAN FITZGERALD: Notification of contracts.

MR. MASCIIO: 1361-03, communication from County Manager Bob Webb submitting a summary of approved Executive actions relating to contracts from November 4, 2003, to November 28, 2003.

Submitted by the County Manager.

DR. MARTONI: Move we receive and file.

MS. FRAZIER: Second.

CHAIRMAN FITZGERALD: Receive and file.

Public comment on general items.

Earl Jones.

MR. JONES: I'd like to talk about my Peace on Earth Campaign. I'm going to knock your socks off. I got 25 proclamations this year. I doubled my amount of children, Peace on Earth, Drug Prevention, it's gone from 20 to 40.

In this envelope, Tom Flaherty, Tom Murphy and Jim Roddey, I'm reaching out and touching every child in the United States with the President of the United States. The reason I say this is possible, I ran for County Council not spending one penny. I got 18 percent of the vote just for telling the truth and doing what I'm doing. This is a crookedest campaign I have ever seen. I've been lied about, I've been harassed. My wife is in bed now sick since the proclamation, or since that campaign. She can't get out of bed. I have to lift her in and out of bed. She is in the doctors three times now since the proclamation. This has to stop, and don't let this go.

I will be here and I will still be promoting world peace but you have to promote justice. When we have a candidate that wants affect their life, their reputation, it can't happen again. I will make sure it don't happen to someone else.

Thank you very much.

CHAIRMAN FITZGERALD: Thank you, Mr. Jones.

Lester Ludwig.

MR. LUDWIG: My name is Les Ludwig. I live in

Squirrel Hill.

I had the pleasure of making a presentation on consideration of the Two Percent Club that I distributed last time when I was here. This afternoon at City Council, the question came up from President Riccardi as to why I wanted everyone included. He said I can agree with including people who are active in government and employees. Why do you want everyone included? It took a little thought.

Our family fathers didn't say, we, the elected representatives. They said, we the people; and, therefore, I am hoping that if you look seriously at the question of public participation in government, if you look seriously at young people, the future of our world is in the hands of the children as the saying goes, that you will see that if we can involve them intimately by having them come here and see government in operation and make constructive suggestions from which they would be rewarded two percent of the saving, four percent of new funding ideas, \$100 to improve the flow of traffic perhaps, that this will bring them and keep them hopefully not in the entertainment world that we live in, but that it will keep them as voters, people who will want to come and become devoted servants of the public, just as you folks are.

So, therefore, it's my second time here to visit with you and I heard great pain in regards to \$6 million that was short for the transportation issue. Something came up at City Council that suggested that perhaps the funds could still be found even though you have closed your budget; and fortunately or unfortunately, I'm not funded and I'm going to be 71 shortly, so I have to look for the Two Percent club and say, is there a potential for a show of hands if I could present an idea for finding \$6 million or whatever the total is and that I would be funded for the percentage?

Mr. Tumolo, I'm sure, the question is up to you.

CHAIRMAN FITZGERALD: Thank you.

In our last meeting of the year, I appreciate everybody, and we don't normally do this, but --

MS. BELL: I have a matter of grave urgency and I sent a letter that should have been received in plenty of time for me to address this Council, and I would request my three minutes, please.

CHAIRMAN FITZGERALD: Two minutes, go ahead. You sent a letter to this Council. You can't do it in two minutes?

MS. BELL: No.

CHAIRMAN FITZGERALD: You might want to wait until after the first of the year.

MS. BELL: I can do it in three minutes flat.

CHAIRMAN FITZGERALD: All right. Your name and address for the record.

MS. BELL: My name is Emily Maria Bell, 134 Radium Street, Pittsburgh, Pennsylvania, 15214.

A sage has said when an honest man is presented with facts that show he is mistaken, he either ceases to be mistaken or he ceases to be honest.

Fellow citizens, if we do not act to correct problems of our national leadership, the United Nations may well step in to do on it for us. I beseech you, honorable members of Allegheny County Council, to legislate a Resolution on behalf of Allegheny County calling upon our United States Congress representatives to

impeach and remove from their offices the current occupants of the White House on the very serious cause of high crimes and misdemeanors in regard to the events of September 11, 2001.

Whereas, George Bush sat and read a book about goats and posed for photographs with second grade children for 25 minutes after he knew the nation was under attack and, whereas, NORAD failed to scramble military jets as required under standard operating procedure to intercept Flights 77 and 93, both known to be hijacked for more than 40 minutes after the second World Trade Center crash; and, whereas, Joint Chiefs of Staff chairman General Richard Myers stated that conflicting reports throughout that morning led to confusion in the command center leaving Donald Rumsfeld not aware of any possible imminent attack in Washington for more than 40 minutes after we all knew we were under attack; whereas, George Bush and Dick Cheney personally tried to block and continue to stonewall an investigation into the events of September 11; and, whereas, Bush and Cheney gave safe passage out of the U.S. to the closest relatives of Osama bin Ladin, whom they had named as the probable perpetrator of September 11 immediately after those attacks at a time when all air traffic was grounded; and, whereas, Bush and Cheney accomplished a coup d'etat on October 26, 2001, by coercing the United States Congress to pass into law unread and unexamined the so-called Patriot Act which revokes much of the U.S. Constitution and our Bill of Rights; and, whereas, the United States Constitution states that the United States shall protect each of the States against invasion and Bush and Cheney both swore in their oath of office to preserve, protect and defend the Constitution. Thereafter, George W. Bush and Dick Cheney, having systematically failed to protect several states, including Pennsylvania, from invasion on September 11, 2000, should be impeached and removed from office.

CHAIRMAN FITZGERALD: Thank you.

All right. On that note, I want to welcome at our last meeting of the year two new members who we delighted to have with us this evening, Ms. Cleary and Ms. Watt.

Do I have a motion to adjourn?

MR. FONTANA: So moved.

MR. GASTGEB: Second.

(At 7:00 p.m., the meeting was adjourned.)

C E R T I F I C A T E

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me at the hearing of the within cause and that this is a true and correct transcript of the same.

URSULA H. PAPPAS

Registered Merit Reporter

