

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

Richard Fitzgerald	-	President, District 11
Charles J. Martoni	-	Vice President, District 8
John P. DeFazio	-	Council-At-Large
Chuck McCullough	-	Council-At-Large
Matt Drozd	-	District 1
Jan Rea	-	District 2
James R. Burn, Jr.	-	District 3
Michael J. Finnerty	-	District 4
Vince Gastgeb	-	District 5
Joan Cleary	-	District 6
Nick Futules	-	District 7
Robert Macey	-	District 9
William Russell Robinson	-	District 10
Jim Ellenbogen	-	District 12
Amanda Green	-	District 13

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

Tuesday, May 5, 2009 - 5:00 p.m.

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

IN ATTENDANCE:

Joseph Catanese - Director of Constituent Services
John Mascio - Chief Clerk
Jared Barker - Director, Legislative Services
Jennifer Liptak - Budget Director
Jack Cambest - Solicitor

PRESIDENT FITZGERALD: Welcome to the Tuesday, May 5th, 2009 regular meeting of Allegheny County Council. If everybody would please rise for the Pledge of Allegiance. And if you would remain standing for a moment of silent prayer or reflection.

(Pledge of Allegiance.)

(Moment of silent prayer or reflection.)

PRESIDENT FITZGERALD: Thank you. Please call the roll.

MR. MASCIO: Mr. Burn?

MR. BURN: Here.

MR. MASCIO: Ms. Cleary?

MS. CLEARY: Present.

MR. MASCIO: Mr. DeFazio?

MR. DEFAZIO: Here.

MR. MASCIO: Mr. Drozd?

MR. DROZD: Present.

MR. MASCIO: Mr. Ellenbogen?

MR. ELLENBOGEN: Here.

MR. MASCIO: Mr. Finnerty?

MR. FINNERTY: Here.

MR. MASCIO: Mr. Futules?

MR. FUTULES: Here.

MR. MASCIO: Mr. Gastgeb?

(No response.)

MR. MASCIO: Ms. Green?

MS. GREEN: Present.

MR. MASCIO: Mr. Macey?

MR. MACEY: Here.

MR. MASCIO: Mr. Martoni?

MR. MARTONI: Here.

MR. MASCIO: Mr. McCullough?

MR. MCCULLOUGH: Here.

MR. MASCIO: Ms. Rea?

MS. REA: Here.

MR. MASCIO: Mr. Robinson?

MR. ROBINSON: Present.

MR. MASCIO: Mr. Fitzgerald, President?

PRESIDENT FITZGERALD: Here.

MR. MASCIO: We have 14 members present at this time.

PRESIDENT FITZGERALD: Okay. Proclamations/ certificates. 4823-09.

MR. MASCIO: Certificates of Achievement honoring the North Catholic High School Boys' Basketball

Team for winning the WPIAL Class AA Championship.
Sponsored by Council Members Green and Burn.

PRESIDENT FITZGERALD: Councilwoman Green and
Councilman Burn.

MS. GREEN: I'd just ask the team to come up to
the podium, please. Thank you for joining us tonight, and
congratulations to you for all of your hard work
throughout the season and on your accomplishments today.
I'm just going to read the Certificate of Achievement.

Awarded to North Catholic High School 2008-2009
Boys' Basketball Team. This Certificate of Achievement is
awarded to the 2008-2009 North Catholic High School Boys'
Basketball Team in recognition of their outstanding
athletic abilities, which were showcased throughout the
team's fantastic season and in the team's capture of the
2009 Class AA WPIAL Championship. Their indelible
contributions to Allegheny County's long legacy of sports
champions are to be commended. On behalf of the citizens
of Allegheny County, we join the team in celebration of
their outstanding and memorable season. Sponsored by
myself, Council Member Amanda Green, and my fellow Council
Member Jim Burn. Presented on behalf of Allegheny County
Council and the citizens of Allegheny County, this 5th day
of May, 2009.

(Applause.)

MR. BURN: Thanks, Coach. Councilwoman, thank
you for sponsoring this. I'm here more as an alumni of
North Catholic, also as a Councilman who appreciates what
you've done. It's a very special time at North. We're
talking about moving the school. It's also special to see
what a great group of players we have, both the boys' team
and the girls' team. We lost at North Catholic ---.
Those of you in the North Catholic community lost a legend
a couple of weeks ago when Coach Don Graham passed away.
I've known Coach Long for a long time. He coached St.
Ann's in Millvale. He coaches Holy Spirit.

And we know that at St. Ann's --- when you went
to St. Ann's before it merged with St. Anthony's and
became Holy Spirit, and you go to Holy Spirit now, there
were a lot of banners on the wall. There's a lot of
championships and winning teams that Coach Long has put
together over the years. And Coach Long, even in the
tributes to Coach Graham, talks about the education,
guidance and teaching that Don Graham gave to him as a

coach and to his players, and that tradition continues at North Catholic.

Coach, on behalf of myself and the alumni and those in Allegheny County, to those in this room, you had a great year. And all of us watched on TV that day what a great game you played. My senior year, the hockey team got to the State finals, and we were runners-up. And we still get together all these years later and talk about that game and what a great season we had together. And you guys, years from now, because of the team concept that you have, will appreciate the teamwork that you put together now, and it will take you further in life. And you'll be much more successful because of the team concept that Coach Long has instilled in you as you go through life. Congratulations.

(Applause.)

MS. GREEN: I'm just going to ask Coach Long to introduce everyone who's here.

COACH LONG: Thank you, Council. Thank you, Mr. Burn. I used to call him a few other things back in the day, but we won't go there. I'd first like to take this opportunity to introduce my assistant coaches. To my right, Jeff Tomar (phonetic), Timmy Gardner. To my left, one of the Long boys, Matt Long. Next to him is Tyler Staniski. And we have Alex Kuzmanko. And then we have Luke Walker. What do they call you these days? Jules. Okay. And then we have Kory and Martin Avery (phonetic) --- and then Kory's brother, Brandt. And then last but not least, Alex Kline. Martin stayed home and slept. Joe is here. That's the guy next to him. So thank you very much. I mean, most of the time he ignores me. This time I got a chance to ignore him. And thank you.

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: 4824-09.

MR. MASCIO: Certificates of Achievement honoring the North Catholic High School Girls' Basketball Team for winning the WPIAL Class A Championship. Sponsored by Council Members Green and Burn.

PRESIDENT FITZGERALD: Councilwoman Green and Councilman Burn.

MS. GREEN: Thank you. I'll just wait for a moment for the team to join us up here. Well, congratulations to you ladies as well. I'm honored to be able to present these certificates to you, as well as my

fellow Councilman, Jim Burn, who is a proud alumnus of your school. And I'll just read the certificate.

Awarded to the North Catholic High School 2008-2009 Girls' Basketball Team. This Certificate of Achievement is awarded to the 2008-2009 North Catholic High School Girls' Basketball Team in recognition of their outstanding athletic abilities, which were showcased throughout the team's fantastic season and in the team's capture of the 2009 Class A WPIAL Championship. Their indelible contributions to Allegheny County's long legacy of sports champions are to be commended. On behalf of the citizens of Allegheny County, we join the team in celebration of their outstanding and memorable season. Sponsored by Council Members Amanda Green and Jim Burn and presented on behalf of Allegheny County Council and the citizens of Allegheny County this 5th day of May, 2009. Congratulations.

(Applause.)

MR. BURN: Thank you, Council. Coach, members of Council, members of the team, congratulations. North Catholic went co-ed. I think it was in '74, '73 or '74, North Catholic went co-ed. And as soon as 1980, Coach Don Barth put the first State Championship team onto the court, and North Catholic Girls' Basketball has been a powerhouse ever since. There was a string of titles they won in the '80s, always put a winning team on in the '90s. And you continue the tradition of North Catholic Girls' Basketball in winning this championship. Coach, great team. You guys did great, and this is something you will take with you for the rest of your lives, the teamwork that you put on that court in winning that title. So as an alumni and a Council person who lives in this county, it's an honor to serve you. Congratulations.

(Applause.)

COACH ROTTMAN: First of all, I'd like to thank you for having us here. It's always wonderful to come down and be recognized. We appreciate it. My assistant coach, Joanna Nishko (phonetic) and Courtney Wahlsack (phonetic), Carah Johnson, Becky Stark, Tina Ferrari, Sarah Getz (phonetic), Lauren Savulchak, Lynzi Mueller, Emily Matschner, Emily Murtha, Erin DeSanti, Diana Sieber, Jodi Mueller, Kristen Simon and Kendall Hoffman.

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: 4825-09.

MR. MASCIO: Certificates of Achievement honoring CCAC South's Baseball Team for winning the WCC and the PCAA Championships. Sponsored by Council Vice President Martoni and Council Member Robinson.

PRESIDENT FITZGERALD: Councilman Robinson and then Councilman Martoni.

MR. ROBINSON: Thank you, Mr. President and members of Council. Councilman Macey is going to join us and certainly, he's part of the effort that Dr. Martoni and I have initiated to honor these very fine athletes. One of the advantages I have as a member of the CCAC Board is I get a chance to do this twice. The Board of Trustees honored these young men and now County Council has an opportunity to do the same.

As you know, Dr. Martoni and I oftentimes come before you to let you know what a great place CCAC really is. We're glad that Councilman Macey is joining us in that recognition and that all of us can appreciate what these young men have done. First, they're students. Second, they only have two years to prove how good they really are. And they're students first and athletes second. When you're a champ, there's not much more that can be said about you. These men are champions twice. Dr. Martoni?

MR. MARTONI: Would you bring your team up here, please? We're always proud to introduce these athletes. They are not only scholars. They are very disciplined athletes. And South Campus seems to be a regular here. They about win this championship every year, so it's our pleasure to recognize them. Mr. Robinson will read the proclamation and I'd like Mr. Macey to say a word. Then we want the coach to introduce the players.

MR. MACEY: Thank you, Dr. Martoni. Being an alumni from Community College South as well as representing that area --- proudly representing that area, it's certainly an honor and a privilege to recognize these gentlemen this evening. Thank you very much.

MR. ROBINSON: I'm going to read just one of these Certificates of Achievement. We have one for each athlete and we also have them for the coaches.

Allegheny County Council is proud to present this Certificate of Achievement to the 2008-2009 CCAC South Baseball Team in recognition of their outstanding athletic abilities, which were showcased throughout the team's 25-5 fall season, in which they captured the 2008

WPCC and PCAA Championships. The team's indelible contributions to Allegheny County's long legacy of sports champions are to be commended. On behalf of the citizens of Allegheny County, we join with you in celebration of the team's third consecutive State Championship, a feat never accomplished in our conference's history. And this is sponsored by Dr. Martoni, myself and Councilman Macey. Let's give these young men a hand.

(Applause.)

COACH ROCCO: Thank you. Thank you, Allegheny County Board. I appreciate this. This is an honor to represent Allegheny County. And I think that it was said that --- about education first. I'm very proud and honored to say that we have --- four of our five seniors right now are --- excuse me, are sophomores that will be going on to four-year schools and playing from St. Vincent to Seton Hill to UP Greensburg. So that's where I get my --- you know, I feel good about what we do when we represent Allegheny County. I'd like to introduce my assistant coach, Vince Mezza. Going down, Roy Duttine, Matt Plavar (phonetic), Ray Chiplewitz (phonetic), Brandon DeWitt (phonetic), Bill Feena (phonetic), Casey Del Percio, Paul Patino (phonetic), Jeff Greiner, Joe Aul, Jeff Miller and Zac Johns.

Out of these, Jeff Miller won 20 games, leaves CCAC winning 20 games this year. Little skinny kid like that wins 20 games.

(Applause.)

COACH ROCCO: Jeff Greiner, in the State Championship game last year, pitched a no-hitter, which was a big accomplishment for me. That was the greatest thing for me to see in the championship game, pitching a no-hitter. So a lot of these kids are represented at CCAC in a very positive way, and that's our goal. I thank you all.

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: 4826-09.

MR. MASCIO: Certificate of Recognition honoring the graduates of the Message Carriers of Pennsylvania Inside/Outside Program. Sponsored by Councilman Robinson.

PRESIDENT FITZGERALD: Councilman Robinson.

MR. ROBINSON: Thank you, Mr. President and members of Council. Today we're going to do, with your leave, something a little different. We're actually going

to be part of the graduation program. There are some men and women here who are graduating from a program. And our encouragement and certainly our Certificate of Recognition will do much to help them as they move forward.

We often talk about the opportunities that people have in our county for second chances. Certainly CCAC is an example of that. But there's a lot of other programs and a lot of other people, our constituents, who are making great strides. And I want to thank those who have come out this evening to share with us what they have been doing and let us be a part of their graduation program.

This is a graduation for the Message Carriers of Pennsylvania, the Inside/Out Program. And Warden Ramon Rustin, who's here, is a part of this effort, as well as Ms. Joni Schwager from the Staunton Farm Foundation, which funded this effort. But in many respects, the grabbing force behind this is a young lady who contacted me about this effort, is the director of the Message Carriers, Robin Horston Spencer, and she's here. And I want her to come forward, not only to identify the young men and women who are here participating in our program, but to talk a little bit about it. We'll also want the Warden and the representative from the Staunton Farm Foundation to come forward, as well. And I appreciate your indulgence as we recognize those who are here and those who could not be with us, with these Certificates of Recognition. It probably means more to them than it means to us. We have an opportunity to congratulate some men and women who disciplined themselves and are trying to move forward with their lives.

So if Ms. Spencer would come forward and if Ms. Joni Schwager would come forward and Mr. Ramon Rustin could come forward. And let's hear a little bit more about this Message Carriers program and the Inside/Out Program. And then we can identify or they can identify the young men and women who are here who are actually graduating. When they get this certificate in their hands, they're finished with this program and on to another phase of life. And I hope they will consider Community College of Allegheny County as another option as they move on. The program is being turned over to the three of you, and I'll be standing here on the side if you need me.

MS. SPENCER: Good evening. My name is Robin Horston Spencer, Executive Director of Message Carriers of Pennsylvania, Incorporated. We are an advocacy organization that was created to fight against stigma and discrimination, for people seeking recovery, in recovery and their family members. And we implement this process through REACH, which stands for Recovery, Education, Advocacy and Community Healing. So today we exemplify REACH as we are here to honor and recognize a group of individuals who have made a profound change in their lives that is truly a benefit for all of us here in Allegheny County.

First, I would like to say thank you to Joni Schwager of Staunton Farm Foundation for her grant funding that was a platform for us to get contracted to implement our Inside/Outside re-entry program throughout ten counties: Allegheny, Armstrong, Beaver, Butler, Fayette County, Greene, Indiana, Lawrence, Westmoreland County and Washington County. Currently, we provide services in Allegheny County, Lawrence and Westmoreland County. And we are currently in three criminal justice systems here in Allegheny County. Also, I would like to acknowledge that on behalf of the Staunton Farm Foundation, we will have a few words from Kathy McCauley in lieu of Joni.

Then we have Warden Ramon Rustin, a strong supporter of Message Carriers, who, unlike any other warden I've met, has the ability to understand the need for such a mentoring program that can assist in reducing the recidivism in our penal system. In turn, he will allow us entry into the jail. In addition, we are incorporated in treatment of offenders.

Last but not least, all of you Council members, with a special thanks to Mr. Councilman Bill Robinson. Councilman Robinson is the host of this graduation. I gave him the input I received from the American Bar Association in the spring conference of 2007 and overcoming legal barriers to re-entry. Both Mayor Daley of Chicago, Illinois and City Mayor of Memphis, Tennessee, Mr. Herenton, shared what it's like for our elected officials to participate in such a re-entry process. And just as what we're doing tonight, your participation in support of the individuals who have turned their life around, they discussed the risks and the rewards. Graduation is a reward, and it is of benefit to Allegheny County.

Stating that, as we culminate a year of completion, these men and women have had mentors who have been incarcerated before, who have had mental health and substance abuse issues and understood that, you know, we make mistakes. However, after we pay our time, do we continue to pay our time? So we have a re-entry program that says, no, we've become productive members of our society. And in that, you are participating in our first graduation, and I'm so grateful and proud. So in closing, I would like to say that we have seven individuals who have completed successfully, joined us. And I would like the two that were able to get in the building ---.

I think that, you know, when people have been incarcerated, there's a fear of trying to get through a building, and I know it was difficult for me. And I'm trying to figure out what happened to my other five. But I do have two gentlemen who got here early, and I would like Derrick and Kyle to stand at this time. Well, no. Hold on. I'm going to have the Warden say something first, and then you guys stand. I don't want you standing now. But we had seven that were to receive certifications tonight. And it is an honor to be a part of something that is so profound and makes such a positive impact on our communities. I hope that this is not our last graduation, but this, too, will be something that we will do annually to support a productive and better community, Allegheny County and hopefully the other nine. So I would like Kathy to come first, and then the Warden, to say something about what we've done. Then we'll bring up our awardees.

MS. MCCAULEY: Thank you. On behalf of the Staunton Farm Foundation, I would congratulate you on this wonderful achievement. And I want to thank you for the inspiration that you are to offer us here today. And a special thanks to Robin;. I know that you have all of your heart and soul in the work that you do. Thank you.

(Applause.)

WARDEN RUSTIN: Ladies and gentlemen, just let me give you a little bit of history about Allegheny County, because I'm not sure that members of the audience and members of County Council realize that Allegheny County is nationally recognized for our re-entry programs. As a matter of fact, Thursday and Friday, I was invited to Atlanta, Fulton County, to speak about the Allegheny model, and that's recognized nationally. And we travel

throughout Pennsylvania. We were invited last year to San Francisco and now Atlanta. We've got a few invitations to talk about what we do so differently in Allegheny County.

First of all, what we do is we care about offenders and ex-offenders, and we realize that public safety --- in order to enhance public safety, treatment, all this has to be an option, and that's what we do. What we do differently and the reason why we're asked to speak at different cities throughout the nation is that we partner with community providers, and that is key. The jail and the Department of Human Services, we can't do the whole thing ourselves. So what we do is we partner with agencies like Message Carriers and Robin, who agree to come in our institution and to work with offenders and to do most of the work out in the community, where they all return and make a difference. And congratulations to the graduates and Robin for a most successful program, because what this does is this puts us on the map and we get to talk about it. And then we make a difference in public safety because when our women and men don't re-offend, it's an incredible realization of tax money when you don't have to fill prison beds and jail cells. So I think everybody needs to recognize that, and we need to continue this because we've got to live up to our reputation. We are the best in the nation when it comes to jail re-entry. So thank you, and again, I appreciate everything that the community provided, like Robin and Kathy to us. Thank you.

(Applause.)

MS. SPENCER: I would like to also bring up my two recipients, Derrick and Kyle --- Clyde, I'm sorry --- and my project coordinator, who does a fantastic job of working with them, Dwayne Williams, who has done a fantastic job working in transitioning these individuals and our mentors. This is Mr. Clyde Shears. And this is awesome. Is this not a beautiful picture, guys? And Mr. Derrick Bradz (phonetic). You're finished. My project coordinator, Mr. Dwayne Williams. I don't know. How we hand this out? This is new. What do we want to do? Would you guys like to say a few words?

MR. BRADZ: I would like to thank my mentor, Dwayne Williams, for sticking by my side for the whole year. Thanks a lot.

MR. WILLIAMS: You're welcome.

(Applause.)

MR. SHEARS: I'd like to thank Miss --- and Cliff there. You had to know the life that I lived and what I am today to really know the truth about what booze does to you. It took 35 years of my life on account of booze. And it took me to make up my mind I wanted a better life. And this gentleman here helped me achieve it. Thank you all.

(Applause.)

MR. ROBINSON: Someone else, a part of the program, would like to have a few words? This is your time to at least speak to everybody in Allegheny County.

CLIFF: Okay. I'm Cliff and I'm a mentor for Mr. Shears, and I'm very proud of that in that my history is also criminal justice, drug addiction and making all the wrong decisions. And I want to say that this program for me personally is a growth for me, personally. Dealing with men like Clyde helps me become a better man, and I appreciate it. I thank you all for your concern and consideration for people like us. Thank you.

(Applause.)

MR. ROBINSON: What we are going to do now is picture time. And those two individuals who are here, we're going to find their certificate and we're going to ask them to come up and actually receive it. And those who are not here, we're going to make sure they get their certificate. One thing is very important to understand. These two men still need our love and help. They're not all the way there. This means more to them today than it does to us. Think about that. This is our support for the discipline and the sacrifice they have made to turn their lives around, and they need us to be there, as well as the others, as time goes on. So I'm going to have Ms. Spencer call each of these gentlemen up again and hand them this recognition of their graduation.

MS. SPENCER: Thank you. This is what second chances mean. This is the second chance as our group. First, I would like to call Mr. Clyde Shears.

(Applause.)

(Pictures taken.)

MS. SPENCER: And now I would like to present this certificate to Mr. Derrick Bradz. And then I would like all of my three with you two guys. If everybody would take a picture with Mr. Robinson. Okay.

(Applause.)

MR. ROBINSON: That's pretty clear for a first graduation. Let's give them a hand. First graduation.
(Applause.)

MR. ROBINSON: We're going to have our guests, our graduates, over here. Some of you have come as family members and friends. If you need to take pictures ---. If you just stand behind our photographer up here in the black and brown, he can accommodate you. Feel free to come up. We want you to enjoy this. I'm going to go over and jump in this picture, too. But this is a family event.

(Pictures taken.)

MR. ROBINSON: Mr. President, if I can have one more indulgence, and I really appreciate everybody's patience. For the honorees, for the graduates, if they have family members and friends that came, can we have a picture of the graduate and both family members and friends, so that they'll have an individual picture of those who came to support them?

(Pictures taken.)

MR. ROBINSON: Thank you, everybody.

(Applause.)

MR. ROBINSON: Thank you, Mr. President and members of Council, for your indulgence and your patience.

PRESIDENT FITZGERALD: 4827-09.

MR. MASCIO: Certificate of Achievement honoring Michael Spak for reaching the Eagle Scout ranking. Sponsored by Council Member Finnerty and County Treasurer Weinstein.

PRESIDENT FITZGERALD: Councilman Finnerty.

MR. FINNERTY: Mike, would you come on up? Come on up, mom. It's truly a pleasure and an honor to stand before you and honor Michael Spak from Troop 834 for earning the rank of Eagle Scout. It's the highest rank in scouting, and only four percent of the people that begin scouting attain the Eagle. And he's going to join some very prestigious people, such as Gerald Ford, the 38th President, Neil Armstrong, who was an astronaut and the first man to walk on the moon, and James Lovell, who was also an astronaut and commanded Apollo 13. So you're going to join some very famous people here, just to name those three. Let me read the proclamation.

This Certificate of Achievement is awarded to Mr. Michael Spak in recognition of attaining the prestigious rank of Eagle Scout, scouting's most

distinguished honor. This Council commends Mr. Spak's diligence and skill, two traits that he has displayed throughout his scouting career, his growth as a troop leader and his dedication to our community. Mr. Spak's Eagle Scout project organized 40 individuals to help renovate the picnic grove area of Holy Trinity Ukrainian Catholic Church in Carnegie, and will bring a renewed sense of harmony to the church.

Throughout his participation in the Boy Scouts, Mr. Spak has set a high standard of commitment and fervor that the youth of our great country may follow. He serves as an inspiration to this Council and to the citizens of Allegheny County. This is sponsored by myself, Council Member Mike Finnerty, and Treasurer John Weinstein, and presented on behalf of Allegheny County and the citizens of Allegheny County this 5th day of May, 2009.

(Applause.)

MR. SPAK: Thank you. It was a long road to get here and a lot of work and everything. I'm just glad I'm done and I can say I'm an Eagle Scout now. So thank you.

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: 4828-09.

MR. MASCIO: Certificates of Achievement honoring the Hampton High School Boys' Basketball Team for winning the WPIAL Class AAA Championship. Sponsored by Councilwoman Rea.

PRESIDENT FITZGERALD: Councilwoman Rea.

MS. REA: Thank you, Mr. President. I'd like to invite the Hampton Championship Basketball Team up, and their coach, Lafko, please. You're all going to be on camera. We want all of you on camera. The great Boston Celtics center, Bill Russell, said, basketball is the ultimate team sport because five players must act and think as one. You young champions have demonstrated that, and congratulations to all of you. And I'm going to read the proclamation into the record.

This Certificate of Achievement is awarded to the 2008-2009 Hampton High School Boys' Basketball Team in recognition of their outstanding athletic abilities, which were showcased throughout the team's fantastic season and in the team's capture of the 2009 Class AAA WPIAL championship. Their indelible contributions to Allegheny County's long legacy of sports champions are to be commended. On behalf of the citizens of Allegheny County,

we join with the team in celebration of their outstanding and memorable season. And I'd like Coach Lafko to introduce each player. Great shirts, guys. I like the shirt. I like the logo and everything. So congratulations.

COACH LAFKO: First of all, I'd like to thank Council for inviting us here tonight and recognizing this team on a great season. Hampton --- we throw down the word historic, because in our school district's boys' basketball program, this is the first championship that the boys' team has ever had at Hampton. So this group of young men had an outstanding season. We're very proud. They gave us a lot of memories that we'll cherish forever. I'm going to delegate, because I'd like to recognize one man in particular. We had one senior on this team. His name is Matt Madia. And I'm going to ask Matt to come up here to introduce the rest of his teammates. Matt, as our only senior this year, had a large task of continuously motivating this young team, leading this young team. He did an outstanding job. So before he moves on to college, I'll call Matt up here to do one more duty.

MR. MADIA: All right. Thank you, Coach Lafko. Here's the rest of my teammates. Alex Schneider, Christian Dill, Bill Luther, Brian Steele, Spencer Dupree, Mike Brode, Shawn Ferguson, Keith Weinheimer, Nate Sayles, Jack Dupree and Tim Donegan.

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: 4829-09.

MR. MASCIO: The remaining certificates and proclamations will be entered into the record.

4829-09. Certificates of Achievement recognizing Daniel Capp, William Morrill and Joseph Vaerewyck of Troop 646 for reaching the Eagle Scout ranking. Sponsored by Council President Fitzgerald.

4830-09. Certificate of Recognition honoring George Carvlin and Brandon Bonwell from Troop 23 for reaching the Eagle Scout ranking. Sponsored by Councilman Ellenbogen.

4831-09. Certificate of Recognition honoring George Carvlin and Brandon Bonwell from Troop 23 for reaching the Eagle Scout ranking. Sponsored by Councilman McCullough.

4832-09. Proclamation commemorating the career of Bob Yeager of Glassport for his years of dedication to the community. Sponsored by Councilman Macey.

4833-09. Proclamation recognizing the Mayor of the City of Duquesne, the Honorable Phillip T. Krivacek, for receiving the 2008-2009 Joseph A. James Memorial Excellence in Local Government Achievement Award. Sponsored by Councilman Macey.

4834-09. Certificate of Recognition celebrating the 50th wedding anniversary of Mr. and Mrs. Switalski. Sponsored by Councilman Burn.

4835-09. Certificate of Recognition celebrating the 50th wedding anniversary of Mr. and Mrs. Urbanek. Sponsored by Councilman Burn.

4836-09. Proclamation honoring the one-year anniversary of the Harrison Hills Environmental Learning Center in Natrona Heights. Sponsored by Councilman Burn.

4837-09. Proclamation celebrating the 75th anniversary of the founding of the Blawnox Athletic Association. Sponsored by Councilman Burn.

4838-09. Certificate of Recognition honoring Henry Walther for reaching the Eagle Scout ranking. Sponsored by Councilman Finnerty.

4839-09. Certificate of Recognition honoring Lawrence Lennon for being named the 2008 Engineer of the Year by the Engineers' Society of Western Pennsylvania. Sponsored by Councilman Finnerty.

PRESIDENT FITZGERALD: Public comment on agenda items.

MR. MASCIO: We have none.

PRESIDENT FITZGERALD: Okay. Before we move on to approval of minutes, I'd just like to make an announcement that this Council held an executive session prior to this meeting dealing with the Supreme Court ruling that came down this week with respect to the base year assessment plan. Approval of minutes. 4818-09.

MR. MASCIO: Motion to approve the minutes of the regular meeting of Allegheny County Council held on April 7th, 2009.

MR. MACEY: So moved.

(Chorus of seconds.)

PRESIDENT FITZGERALD: Discussion? All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. Unfinished business. Committee on Appointment Review, second reading. 4691-09.

MR. MASCIO: Approving the appointment of Lorina W. Wise to serve as a member of the following authorities: Allegheny County Industrial Development Authority, County Hospital Development Authority, Higher Education Building Authority and the Residential Finance Authority, for a term to expire on December 31st, 2010.

PRESIDENT FITZGERALD: Chair DeFazio?

MR. DEFAZIO: I was out of town. Mike will do the appointment.

PRESIDENT FITZGERALD: Councilman Finnerty?

MR. FINNERTY: I'd like to make a motion to approve.

(Chorus of seconds.)

PRESIDENT FITZGERALD: Moved, second. Discussion? All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. Ms. Wise is approved. 4693-09.

MR. MASCIO: Approving the reappointment of Dr. Walter Goldberg to serve as a member of the Air Pollution Control Advisory Committee for a term to expire on December 31st, 2009.

PRESIDENT FITZGERALD: Councilman Finnerty?

MR. FINNERTY: I'd like to make a motion to approve.

(Chorus of seconds.)

PRESIDENT FITZGERALD: Moved, second. Discussion? All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. Dr. Goldberg is approved. 4705-09.

MR. MASCIO: Approving the reappointment of John W. Inks, Jr. to serve as a member of the Plumbing Advisory Board for a term to expire on December 31st, 2011.

PRESIDENT FITZGERALD: Councilman Finnerty?

MR. FINNERTY: Thank you. I'd like to make a motion to approve.

(Chorus of seconds.)

PRESIDENT FITZGERALD: Moved, second. Discussion? All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. Mr. Inks is approved. Committee on Budget and Finance, second reading. 4811-09.

MR. MASCIO: A resolution amending the Grants and Special Accounts Budget for 2009, Submission Number 06-09.

PRESIDENT FITZGERALD: Chair Robinson?

MR. ROBINSON: Move for approval.

MR. MACEY: Second.

PRESIDENT FITZGERALD: Moved, second.

Discussion? Call the roll.

MR. MASCIO: On Bill Number 4811-09, Mr. Burn?

MR. BURN: Yes.

MR. MASCIO: Ms. Cleary?

MS. CLEARY: Aye.

MR. MASCIO: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. MASCIO: Mr. Drozd?

MR. DROZD: Aye.

MR. MASCIO: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. MASCIO: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. MASCIO: Mr. Futules?

MR. FUTULES: Yes.

MR. MASCIO: Ms. Green?

MS. GREEN: Aye.

MR. MASCIO: Mr. Macey?

MR. MACEY: Yes.

MR. MASCIO: Mr. Martoni?

MR. MARTONI: Yes.

MR. MASCIO: Mr. McCullough?

MR. MCCULLOUGH: Aye.

MR. MASCIO: Ms. Rea?

MS. REA: Yes.

MR. MASCIO: Mr. Robinson?

MR. ROBINSON: Aye.

MR. MASCIO: Mr. Fitzgerald, President?

PRESIDENT FITZGERALD: Yes.

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

PRESIDENT FITZGERALD: Committee on Public Safety, second reading. 4751-09.

MR. MASCIO: An ordinance authorizing the disposition of a county-owned vehicle to the Spring Garden

Fire Company, Reserve Township Station 240, for use in providing emergency services.

PRESIDENT FITZGERALD: Chairman Burn?

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

MR. MACEY: Second.

PRESIDENT FITZGERALD: Moved, second. Discussion? Please call the roll.

MR. MASCIO: Mr. Burn?

MR. BURN: Yes.

MR. MASCIO: Ms. Cleary?

MS. CLEARY: Aye.

MR. MASCIO: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. MASCIO: Mr. Drozd?

MR. DROZD: Aye.

MR. MASCIO: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. MASCIO: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. MASCIO: Mr. Futules?

MR. FUTULES: Yes.

MR. MASCIO: Ms. Green?

MS. GREEN: Aye.

MR. MASCIO: Mr. Macey?

MR. MACEY: Yes.

MR. MASCIO: Mr. Martoni?

MR. MARTONI: Yes.

MR. MASCIO: Mr. McCullough?

MR. MCCULLOUGH: Aye.

MR. MASCIO: Ms. Rea?

MS. REA: Yes.

MR. MASCIO: Mr. Robinson?

MR. ROBINSON: Aye.

MR. MASCIO: Mr. Fitzgerald, President?

PRESIDENT FITZGERALD: Yes.

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

PRESIDENT FITZGERALD: 4745-09.

MR. MASCIO: A resolution authorizing the Allegheny County Police Training Academy to apply for and to accept a grant from the Municipal Police Officers' Education and Training Commission and agreeing to adhere to all rules, regulations and training standards established by the Commission.

PRESIDENT FITZGERALD: Chair Burn?

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

MR. MACEY: Second.

PRESIDENT FITZGERALD: Moved, second.
Discussion? Please call the roll.

MR. MASCIO: Mr. Burn?

MR. BURN: Yes.

MR. MASCIO: Ms. Cleary?

MS. CLEARY: Aye.

MR. MASCIO: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. MASCIO: Mr. Drozd?

MR. DROZD: Aye.

MR. MASCIO: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. MASCIO: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. MASCIO: Mr. Futules?

MR. FUTULES: Yes.

MR. MASCIO: Ms. Green?

MS. GREEN: Aye.

MR. MASCIO: Mr. Macey?

MR. MACEY: Yes.

MR. MASCIO: Mr. Martoni?

MR. MARTONI: Yes.

MR. MASCIO: Mr. McCullough?

MR. MCCULLOUGH: Aye.

MR. MASCIO: Ms. Rea?

MS. REA: Yes.

MR. MASCIO: Mr. Robinson?

MR. ROBINSON: Aye.

MR. MASCIO: Mr. Fitzgerald, President?

PRESIDENT FITZGERALD: Yes.

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

PRESIDENT FITZGERALD: Liaison reports. Any liaison reports this evening? Seeing none, new business. ordinances and resolutions. 4820-09.

MR. MASCIO: An ordinance amending and supplementing the Allegheny County Code of Ordinances, Division 1, entitled Administrative Code, Article 203, entitled County Authorities, through the creation of a new Section 5-203.10, governing lobbying activities by the County's authorities. Sponsored by Councilman Drozd.

PRESIDENT FITZGERALD: Councilman Drozd?

MR. DROZD: Very quickly. We discussed this many times before. This one is a change in the last ordinance in the essence that any authorities that are entering the lobbying activities, utilizing taxpayer money ---. And you know, when we say, and I've heard it numerous times well, it's not that portion, you can't discern what's taxpayer money or not taxpayer money, is not out of one pot or another pot. If they accept taxpayer money, it melts into the whole --- a whole is equal to the sum of the parts, so it's taxpayer money. So if they want to utilize taxpayer money to lobby when that should be the role of our legislators, state senators and legislators in Congress and senators, then next year, they won't get any fiscal allocation from us.

And it means a lot to the people in Allegheny County and the taxpayers, people I've discussed it with, my constituents. They don't want us to use taxpayer money to lobby, none of their money, in any event. They don't want to use the taxpayer money. So that's basically it. It changes it from the last time. If we put it into committee, we'll discuss it again and bring it out for a vote. And you've seen the expenses, over \$1,000,000 over a period of five years. And our authorities in our county expended taxpayer dollars for the lobbying efforts on behalf of these authorities' income. Thank you, Mr. President.

MR. FUTULES: Mr. President, I'd like to place a motion to waive the second reading.

PRESIDENT FITZGERALD: So moved.

MR. DROZD: Second.

PRESIDENT FITZGERALD: Second. Discussion? Let's call for a voice vote. All in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? Second reading having been waived, Mr. Futules, do you want to ---?

MR. FUTULES: Well, I just wanted to ask Mr. Drozd ---. He went to a lot of trouble with all the figures with ALCOSAN and the Port Authority, Sports and Exhibition. He showed how much money they spent each year on lobbying for maybe a four-year period, but you don't have any statistics as to how much they pay in. Is this in the millions of dollars? Is it the thousands? Do they spend \$1 to make \$1,000 in revenues? We don't have this information in front of us. I believe that we didn't the

last two weeks ago and didn't two weeks before that, either. I think we're wasting our time, and I'd really like to vote on this.

PRESIDENT FITZGERALD: Is that a motion to vote on this, motion to approve? You need to make a motion.

MR. FUTULES: I make a motion to vote on this issue.

MR. MACEY: Second.

PRESIDENT FITZGERALD: Moved, second. Mr. Drozd?

MR. DROZD: Yeah. I don't believe it's any waste of time to talk about the taxpayer dollars. Maybe it's a waste of your time, Mr. Futules, when you talk about taxpayer dollars. It's not wasting my time. And I say that any taxpayer out there would say the same. When it comes to taxpayer dollars, they want it spent frugally and in good stead. And if you talk to most legislators out there, these legislators don't feel it's the efforts of the lobbyists that bring money into Allegheny County. It's their efforts.

And by the way, if you talk about what you spend it on, one legislative office, it's considerable monies. So I don't consider a discussion on how we spend taxpayer money a waste of time, and I would venture to say any of your constituents would say the same. Thank you.

PRESIDENT FITZGERALD: Councilwoman Cleary and Councilman Futules.

MS. CLEARY: Thank you. I don't believe we're wasting taxpayer money when we pay lobbyists as long as the lobbyists are recognized and we understand what we're giving them. And obviously, Mr. Drozd has those figures, so we know how much money is going to lobbyists. And I would hate to see this county not get money and not get support from the state because we don't have somebody out there advocating for us. I know we all have our representatives and lobbyists. That's their job and that's the way the world works.

And in comparison to how much money --- if it's a \$1,000,000 or \$2,000,000 over five years --- according to everybody's budgets around here, that is really ---. I mean, it's a lot of money, but it's not a lot of money for what we're getting for it. And as Mr. Futules said, we don't even have that information, how much money we're actually getting from what we lobby. So I don't believe this legislation makes any sense either. Thank you.

PRESIDENT FITZGERALD: Mr. Futules, then Mr. Ellenbogen.

MR. FUTULES: Well, Joan, you just about said what I was going to repeat. But Matt, you know, I understand your concern here and I really believe that you are sincere. But you don't show statistics as to how much is taken in. So how could you not ---? Well, how could we vote on something like this that we don't --- have no statistics? We're telling one side here. You know, we could take and spent \$1 to make \$1,000. You take in --- you spend \$325,000 in activities from ALCOSAN, but just what did they take in? That's the question.

PRESIDENT FITZGERALD: Mr. Ellenbogen --- I'm sorry. Mr. Futules, do you ---?

MR. FUTULES: I want to make a motion to ---.

PRESIDENT FITZGERALD: Well, I think the motion needs to be corrected to a motion to approve. That's all.

MR. FUTULES: Yes, motion to approve.

PRESIDENT FITZGERALD: Motion to approve. Do I have a second on the motion to approve?

(Motion seconded.)

PRESIDENT FITZGERALD: Okay. Now we can continue discussion. Mr. Ellenbogen, then Mr. McCullough and Mr. Drozd.

MR. ELLENBOGEN: I think that, you know, Councilman Drozd's heart is in the right place. I understand what he's saying. But the reality of the situation is when you're dealing with the kind of specificities in getting grants, particularly in the medical field, you know, it's a reality. You know, we need people that are going to, you know, work toward that particular goal and toward that particular project. You know, the Legislature --- I don't think that they're capable of doing that on a mass scale. I mean, lobbyists are a reality in life. I mean, I think the Administration has given us numerous examples of how the money has been brought back in quite an extreme yield as opposed to the money that was invested. So I mean, that's a reality. Like I said, just look at the medical field itself. I mean, some of the cures of the some of the diseases, if they didn't have lobbyists that were trying to get grants for people to do the research, I mean, you know, the public as a whole would suffer. Thank you.

PRESIDENT FITZGERALD: Mr. McCullough and Mr. Drozd.

MR. MCCULLOUGH: I support Mr. Drozd's legislation. You know, I saw on TV last night an interview with James Carville. And I don't agree with Mr. Carville on many things, but he was speaking about the ills of lobbyists, particularly as corrupt as Washington, D.C. Your point of basically a cost benefit analysis on lobbyists, I would hope there is none because if you're accurate, what we're saying is we have to pay lobbyists to get money from the state. And I would be very much concerned if there is a direct link between what we pay the lobbyists and what we get back.

Most of the people --- many of the people on these authorities are state representatives, state senators themselves. That's their job. I mean, if they're going to be representing these authorities, they should be going to bat for them without having some lobbyist grease their palm. And that's why I'm in support of this. Thank you.

PRESIDENT FITZGERALD: Mr. Drozd, then Mr. Burn.

MR. DROZD: Mr. McCullough --- Councilman McCullough said a lot what I agree with and followed up with. And in addition to that, I'd like to point out the difference on medical research. That's private enterprises and whatever it may be. They've got a right to lobby. They're using their own money. They use the profits from their money. But this is not ---. We're not talking private enterprise or whatever. Hey, if they want to lobby, it's their business, but not with taxpayer dollars. And that's basically what I'm saying here.

Let's clarify this. What I'm saying is, any authority has a right to lobby and so does the county, but not with taxpayer dollars. And even the President of the United States has come out against lobbyists, even the President, of which many of you here, not --- the majority of you supported for office. So in one way, you're saying you support what he stands for, and on the other, you don't want to support this, what he's against, using the lobbyists.

So it's not reinforcement of one or the other, so ---. Legislators do their job. They're supposed to do what they're supposed to do. Take a poll of your constituents. Just take a poll. You'll see how many of them will say, hey, I don't want my taxpayer dollars used for lobbyists. Let the legislators, who I pay very handsomely and their staffs ---. And it's nothing to talk

about legislators. Let's talk about their staffs and how deep they are and how many people --- each one. You can call any of them. You'll see, they have each one that represents certain segments, including medical and whatever it may be. So we're duplicating dollars and spending dollars that shouldn't be spent, and that's taxpayer dollars. And out there right now, a lot of people are hurting. Thank you.

PRESIDENT FITZGERALD: Councilman Burn, then Councilman Ellenbogen.

MR. BURN: Thank you, Mr. President. I think we can take the politics out of the conversation. I heard Carville. I heard Obama. Let's just talk about lobbyists and let's talk about this concept of hiring a point person to go out there and get funded. Whether you call them a lobbyist, whether you call them Main Street manager, whether you call them advocate for your cause ---. Mr. President, when I was the Mayor in Millvale, we hired a Main Street manager to help us. That Main Street manager worked as a point person for us into the intricacies of grant writing, the intricacies of getting funding. He took us places where there was funding available that we may not have known existed.

With the help of those lobbyists, the Main Street managers or whatever you want to call those people, we were able to get a AAA bond rate. We were able to create --- file the 1(c)(3) non-profits to fuel the funding engines that the borough needed to rehabilitate itself. We were able to go out there and get money and get funding and make the borough better off than we would have been without that Main Street manager. So I think an analogy can be drawn here. For every \$20,000 ---. So it's a much smaller dollar figure than the authorities, but I can point to every single dollar that we got in the return on that investment from the Main Street manager that we hired, and I think an analogy can be drawn. And therefore, I think that although well intentioned by my noble colleague, I think only one side of the coin has been shown. The other side is the cost benefit analysis. It's beneficial to this region in a competitive environment where recession is all around us and will help us to continue to stay ahead of the recession. Thank you.

PRESIDENT FITZGERALD: Councilman Ellenbogen?

MR. ELLENBOGEN: Well, I concur with Councilman Burn. I think he hit the nail right on the head. As far

as the healthcare area, you know, when Dr. Salk invented the polio vaccine, my late mother was one of his assistants. I can tell you that the public is very involved when it comes to these health issues. I saw Dr. Dickson on television yesterday talking about --- that he would like to see this flu virus vaccine ran through the public system. So you know, to try to separate, you know, public health and the well being of the public and try to put that in the venue of only private enterprise I think is a little shortsighted. Thank you.

PRESIDENT FITZGERALD: Let's call the roll.

MR. MASCIO: Mr. Burn?

MR. BURN: No.

MR. MASCIO: Ms. Cleary?

MS. CLEARY: No.

MR. MASCIO: Mr. DeFazio?

MR. DEFAZIO: No.

MR. MASCIO: Mr. Drozd?

MR. DROZD: Aye.

MR. MASCIO: Mr. Ellenbogen?

MR. ELLENBOGEN: No.

MR. MASCIO: Mr. Finnerty?

MR. FINNERTY: No.

MR. MASCIO: Mr. Futules?

MR. FUTULES: No.

MR. MASCIO: Ms. Green?

MS. GREEN: No.

MR. MASCIO: Mr. Macey?

MR. MACEY: No.

MR. MASCIO: Mr. Martoni?

MR. MARTONI: No.

MR. MASCIO: Mr. McCullough?

MR. MCCULLOUGH: Aye.

MR. MASCIO: Ms. Rea?

MS. REA: Yes.

MR. MASCIO: Mr. Robinson?

MR. ROBINSON: Nay.

MR. MASCIO: Mr. Fitzgerald, President?

PRESIDENT FITZGERALD: No.

MR. MASCIO: Ayes 3, noes 11. The bill fails.

PRESIDENT FITZGERALD: 4821-09.

MR. MASCIO: An ordinance authorizing the County to lease certain real estate located in White Oak Park to the United States Department of Transportation, Federal

Aviation Administration. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Refer to Committee on Parks. 4840-09.

MR. MASCIO: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Allegheny County Code of Ordinances, Division 5, Administrative Code, Article 210, entitled Assessment Standards and Practices, by adding a new subsection 5-210.04A, entitled Revision and Equalization of Base Year Market Values: Periodic County-wide Reassessments, providing for a methodology to equalize base year values on a triennial basis and to establish a time frame for county-wide reassessments. Sponsored by Councilman McCullough.

PRESIDENT FITZGERALD: Refer to Committee on Government Reform. Councilman McCullough, do you wish to comment?

MR. MCCULLOUGH: Yeah, I would. Thank you, Mr. Fitzgerald. I'm going to ask Jared to pass out some remarks so I don't have to replicate them.

PRESIDENT FITZGERALD: We're going to bring them over here. Again, we did this last week. I'd rather not go out and hand out ---. This is going to go to committee, so ---.

MR. MCCULLOUGH: Well, the point is ---.

PRESIDENT FITZGERALD: Can you read them?

MR. MCCULLOUGH: I don't want to read them. That's because I don't want to have to read them. There's no reason to read them.

PRESIDENT FITZGERALD: We'll distribute them after the meeting. That will be fine.

MR. MCCULLOUGH: Well, whatever.

PRESIDENT FITZGERALD: We'll make sure it's available at the committee meeting.

MR. MCCULLOUGH: All right. Just let me make a point. I'm concerned about that kind of behavior because this is an innocuous thing and I could waste our time and actually read these things. And I'm not going to do it because I just want you to have the benefit of that. I really don't think it's a good idea for you to be trying to check and censor what any individual Council person wants to pass out, but I'll let that go because that's really for informational purposes and I'm not going to get into it. But I'm going to post it this way.

A couple of years ago, after Judge Wettick first made his decision about the base year, I came before Council and passed out a possible ordinance to deal with the situation. And the premises of that ordinance --- and I just updated it to the present situation, given the Supreme Court's decision last week, and again, unfortunately, the County was on the short side of the stick in Court --- is this: is there a way to deal with the inequities of our assessment system without having to do a reassessment? And the answer is yes. And actually, it's a mathematical formula. It's a coefficient. This isn't the only way to deal with it. But I think it's important for us, in light of what's happened, that we get the ball rolling on some different ideas.

Again, we're not talking about doing a reassessment here. Actually, the way this coefficient is applied, in nearly every community, the assessments would go down because it's a relativity coefficient that is actually paid to the community that has the greatest rate of increase and appreciates property values over the last several years. I think it's important we have a dialogue. There's a number of different ways we can handle this. We're obviously going to get more information from Judge Wettick as we go forward.

But we have an opportunity here, I think, to turn a negative into a positive. Obviously, this is something that's been haunting this county since the advent of this century, which is assessments. You can make the case it's been hovering around this county for the past 40 years. If we take the lead in solving this problem, we can send an example to the other counties across the state, and actually, possibly put ourselves at a competitive advantage. This is one way of doing this, so I look forward to discussing this in committee. Thank you.

PRESIDENT FITZGERALD: Thank you. Before we move on to new business, motions, Mr. Drozd has a rule actually talking about what Mr. McCullough just brought up. I think this is a good discussion for this Council to have. And whatever the will of this Council is, if we want to hand out documents willy-nilly, that's fine. I'll go along with it. I disagree with it, but I will --- you know, I think we should go to the Executive Committee. I think this is a rule of this Council and how we want to conduct meetings. And I'm fine, again, with either way.

We can stay here all night and run our committee meetings basically on this full Council.

I think our chairs do a terrific job in running their meetings and bringing documents in, information, directors, et cetera. But again, it's not --- along with the censorship. Let him do his motion. Maybe we can talk about it then. Is that ---? Go ahead, Mr. McCullough.

MR. MCCULLOUGH: That's fine. Go ahead.

PRESIDENT FITZGERALD: Okay. New business, motions. 4822-09.

MR. MASCIO: Motion of the Council of Allegheny County amending the Rules of Council for Allegheny County Council to clarify the rules pertaining to decorum in Council meetings. Sponsored by Councilman Drozd.

PRESIDENT FITZGERALD: Okay. I'd like to refer this to the Executive Committee. Mr. Drozd, would you comment?

MR. DROZD: Yeah. Mr. President, that's fine, referring it to Executive Committee. It's based upon what I feel is suppressed and I believe the people have a right to know. And when we don't allow the introduction of any documents, at least to be presented to Council --- it's up to them whether or not they want to read it or not. I think it's a right to know. And as a flow of process ---. I understand the committee process just like anyone else does. But at the same time, there is information that evolves beyond the committee process or after the committee process that needs to be at least brought to the Council's attention.

And I believe any Council member on --- that sits here today has the right to at least distribute literature, just like anyone else in the audience may come up and speak on different issues within Council, has a right to distribute literature. And if it reinforces their position or brings new life to information, whether pro or con to that particular ordinance, well, so be it. And I think that they ought to have a right to do that. If we eliminate that right, what we're doing is suppressing the right to know of the people. It's a matter of also making it a matter of record here today. And that additional information is part of the record, is what I understand. I don't know if I'm wrong in that or not. But I understand it's a matter of the record. You present that document, distribute it here today and it becomes a matter of record. So I think it's reasonable.

PRESIDENT FITZGERALD: Mr. McCullough, do you wish to comment?

MR. MCCULLOUGH: Yeah. Rich, I think what's ironic about what you just did a few minutes ago is remarks that I was going to pass out our remarks that I made two years ago as a private citizen. And when I made those remarks, nobody told me that I could not make them here and that I would have to go to a committee. And I think it's somewhat ironic and in questionable legality to say that now because I'm on the other side of the podium, the things that I said as a private citizen cannot be disseminated in written form. I don't think we have any basis to limit or circumspect a Councilman's ability to say what he wants during the course of a meeting or pass out what he wants. And I think we're going to go down that road. I think it's an issue of censorship and I think it violates the First Amendment rights. Obviously, you have the right to maintain order. We don't want people going off track. But the main reason why I had these remarks put out is to save everybody the 10 or 15 minutes of me going through a dissertation that you heard quite some time ago.

And the other point is our committee meetings are not attended by Council as a whole. They are not broadcast and not particularly well attended by the public. Everything we say here is made available by television to everybody within Allegheny County. And if people want to know that there was a document passed out or that there's comments that are going to be made, that may pique their interest and ask them to take a look at it. I just don't think it's the way to go. I know in the past I've introduced other documents. This objection was never made. And this just seems to be a rule that, if it exists, has been enforced only recently. So I support Mr. Drozd's ---.

PRESIDENT FITZGERALD: Okay. Let me just comment about the term censorship. That's certainly a very loaded term, and I understand its implications. I mean, certainly, anybody --- you or any other Council member could put these in our mailboxes. It's not that they're being suppressed to the public. They also could be put at everybody's station before the meeting. There are ways to get them out. And again, I will certainly not suppress this at a committee meeting. We'll discuss it. We'll talk about it. I understand your concerns, and I

think it's a good discussion for this Council to have. And I'd like Mr. Martoni's committee to discuss this and decide as a Council.

And again, your document here might have been something that saved time. But there might be the other side, which we could be here all night with a flood of documents. People get confused. It could go on and on. I'll let you respond, and then Ms. Cleary has a comment.

MR. MCCULLOUGH: The problem with what you just said, Rich, is you're reviewing it for content. Okay? And that's the problem and that's the issue that I see, that if a Councilman passes out a document, you're going to review it for content and say, well, this one might have been appropriate, but another one might have been duly confused. That's not a decision I think you should be making. I think if one of us wants to pass out in a public situation documents, that if I left my position here and asked for two minutes to speak as a public citizen, could approach you all and pass it out, I don't think that's the road you want to travel.

PRESIDENT FITZGERALD: Ms. Cleary?

MS. CLEARY: Thank you. I don't believe this is a right-to-know issue, because everything we do here is open and public of all the forms of government. I mean, Mr. Mascio will give anybody anything that we have here at our meeting. And I am happy to have things put in my mailbox. I think that's the appropriate place to put it. And if I'm going to be voting on something, I don't want something handed to me at the last minute before a vote or anything. And if we're not voting on it, it could be put in my mailbox and then we can have a discussion in committee. I see no point in wasting all of our time by handing out papers here. Thank you.

PRESIDENT FITZGERALD: Mr. Ellenbogen?

MR. ELLENBOGEN: Yeah. I agree with Councilwoman Cleary. If it's a matter of information, you know, it's hard to digest, you know, handouts right here at this table when we're voting on something. I mean, if you have it --- you know, if you can tell us that, you know, put it in our mailboxes so that we, as a Council, has a chance to digest it and then maybe talk about it. And maybe if a Councilman says, well, you know, everybody has this, make it a part of the record, I think in terms of giving us information to vote, I think that's a little more practical. Thank you.

PRESIDENT FITZGERALD: We'll refer it to committee and then look forward to a discussion on this. Public comment on general items.

MR. MASCIO: We have none.

PRESIDENT FITZGERALD: No speakers this evening. Do I have a motion to adjourn?

(Chorus of motions.)

(Chorus of seconds.)

PRESIDENT FITZGERALD: Meeting adjourned.

MEETING ADJOURNED AT 6:24 P.M.

CERTIFICATE

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


Court Reporter