

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, September 8, 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:

James Flynn - County Manager
Joseph Catanese - Director of Constituent Services
John H. Rushford, Jr. - Counsel for County Council
Jared Barker - Director, Legislative Services
Jennifer Liptak - Budget Director

PRESIDENT FITZGERALD: I'm going to call the meeting to order. Welcome to the Tuesday, September 8th, 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 and reflection. And if you would keep in your thoughts Harvey Adams and the Adams family. We unfortunately learned of the word that Mr. Adams, who was a great community activist in this community for many, many years, passed away earlier today.

(Pledge of Allegiance.)

(Moment of silent prayer and reflection.)

PRESIDENT FITZGERALD: Thank you. Please call the roll.

MR. CATANESE: Mr. Burn?

MR. BURN: Here.

MR. CATANESE: Ms. Cleary?

MS. CLEARY: Present.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Here.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Here.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Here.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Here.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Here.

MR. CATANESE: Mr. Gastgeb?

MR. GASTGEB: Here.

MR. CATANESE: Ms. Green?

MS. GREEN: Present.

MR. CATANESE: Mr. Macey?

MR. MACEY: Here.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Here.

MR. CATANESE: Mr. McCullough?

MR. MCCULLOUGH: Present.

MR. CATANESE: Ms. Rea?

MS. REA: Here.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Present.

MR. CATANESE: Mr. Fitzgerald, President?

PRESIDENT FITZGERALD: Here.

MR. CATANESE: Fifteen (15) members present.

PRESIDENT FITZGERALD: Okay. 5090-09.

MR. CATANESE: Proclamation honoring the 25th anniversary of the Allegheny County Labor Council's Labor Day Parade. Sponsored by Council Members Fitzgerald, Burn, DeFazio, Finnerty, Green, Martoni, Futules, Robinson, Macey, Ellenbogen, Cleary and Gastgeb.

PRESIDENT FITZGERALD: As President, I'm always delighted when I get to do some very, very special things representing this Council. And today's honoring and proclamation is one of the most special that I get to do. Our community, the southwestern Pennsylvania, Pittsburgh region, is blessed to have been really the birthplace of a labor movement more than a century ago. Anybody who's ever gone to the Labor Day parade knows how special it is, and we were lucky enough again to be joined yesterday by doing that.

I'm joined by some of my colleagues in the labor movement who are with me here today, and I want to bring up some of the special people who kind of reinvigorated the parade, which we're talking about the 25th anniversary. But obviously, we've had these parades a lot longer, but there was a break in the action for many, many years. And there were a number of members who we're going to honor here tonight who kind of were instrumental in getting it put back together. I would like to bring up Jim McHale, Candi Kaplan, Bob Azen, T.J. McCarty and Carmella Mullen with me, and joining them, our most distinguished Mr. Jack Shea, leader of the Allegheny County Labor Council. And we're also lucky to be joined tonight by a member of the Bar from the Superior Court, Jack Panella, who's going to help do this as well.

And before we get started, though, I would like to ask Councilman Burn, Jim Burn, who's one of the co-sponsors of this, and Jim was really instrumental in driving this forward, to talk a little bit about some of the special things that these gentlemen have done. Yes, anybody can ---. Mr. Burn?

MR. BURN: Jack, on behalf of my colleagues, again, yesterday, well done.

MR. SHEA: Thank you very much.

MR. BURN: Very, very great, as always. And Carmella, my colleague on the committee and our vice-chair --- and I had a conversation a couple of weeks ago --- a couple of months ago about how hard the Labor Council and our friends in the labor movement work to make this parade

a very successful event year in and year out. And we were talking about --- perhaps we should consider honoring the men and women who founded it 25 years ago now that it's coming up on the 25th anniversary, let Jack know that we'd like to do something like this on the Council, and Carmella spoke to those who put it together. And we did that, and we have this proclamation here that we're just going to read into the record in a couple of minutes.

Jack, I'd just like to say thanks to yourself and to your leadership in the labor movement. And again, a job well done yesterday. And I know that with the coordination and the effort that we saw, it doesn't happen the day before Labor Day. And you can see when you come down there and get into that line, the organization, the effort that takes time, effort, manpower hours, communication. And that's what the labor movement is about. It's about communication, coordination, a common vision and moving forward in a cohesive direction. And I'm sure you guys have already had your first meeting for next year's Labor Day parade. That's what Carm tells me.

So on behalf of those who originated this concept 25 years ago, an idea of communicating and getting those in the different locales together and showing solidarity and showing where labor had its birthplace, how we will not forget where it started every year, is a great accomplishment. And every year it seems to get bigger and better and stronger. And I know that in my district, our residents embrace it. And I know that in this county, the residents embrace it. So Jack and members of the Council and those of you who founded this, congratulations and a job well done. Thank you very much.

(Applause.)

PRESIDENT FITZGERALD: And I wanted to ask John DeFazio, the at-large member who is District 10 ---. Is it District 10? For the Steelworkers?

MR. DEFAZIO: Oh, yeah.

PRESIDENT FITZGERALD: I want to make sure I have District 10 right.

MR. DEFAZIO: It's in Allegheny County.

PRESIDENT FITZGERALD: He's a District 10 representative from the State of Pennsylvania United Steelworkers, which is the --- you know, I think it's the only international steel --- international union we have in our town, which we're very proud to be the location

where the international steelworkers are located. John, if you want to say a few words?

MR. DEFAZIO: I just want to say, you know, --- and you know, Jack Shea's a personal friend, and I want to be honest when I say this. He does as good or better job than anyone in the country on his job. He really does. I mean, he really does a good job for the Labor Council. I know you've got a lot of good people. He lives in my area. But seriously, Jack does a good job. So does the committee. I'm one of the vice presidents on Labor Council also, so I don't want to take up too much of your time. I'll let you read the proclamation. So thank you very much.

MR. SHEA: Thanks, John.

PRESIDENT FITZGERALD: Councilwoman Cleary?

MS. CLEARY: Thank you. I just wanted to say as a union member, I just want to thank Jack and everybody on Labor Council for everything they did, because I see the benefits through my union. Thank you.

PRESIDENT FITZGERALD: Well, it is interesting. I mean, I think Labor Day and the parade is a culmination and a celebration of what the labor movement is able to do for working people in trying to elevate as many folks into the middle class and provide a decent standard of living, you know, whether it be with healthcare, pensions, a decent wage, safety benefits, et cetera, all the things that they fought for over the years and have made our community a stronger community. Now, I'm going to read this into the record and ask Mr. Shea and some of the others if they want to say a few words.

WHEREAS, Allegheny County laborers have constituted a majority of the workforce of our communities for many generations and have been a key element in organizing our nation's labor movement.

AND WHEREAS, on September 7th, 2009, the Allegheny County Labor Council celebrated the workers of our region and nation by conducting the 25th Annual Labor Day Parade in downtown Pittsburgh.

AND WHEREAS, the parade was founded through the resolution of Jim McHale, Candi Kaplan, Bill Fryberger (phonetic), Tony Como, Don Renninger, Lou Pappalardo and Bob Azen.

AND WHEREAS, organizing the official parade 25 years ago proved to be a great exertion and effort. However, the group persevered in the spirit of true

laborers and were granted permission to host the event, which has become throughout the years a national representation of the importance of laborers and their rights.

AND WHEREAS, this great milestone in the parade's history unified the men and women of the labor movement and connected them to the significant history of Allegheny County's workforce.

NOW, THEREFORE, BE IT RESOLVED, Allegheny County Council, on behalf of the citizens of Allegheny County, hereby recognizes the 25th anniversary of Allegheny County Labor Council's Labor Day parade. The event is a symbol of our region's fervent labor industry, and it has steadily become a nationally-recognized occasion that represents the ethos of the laboring men and women of our country. Sponsored by all members of Council this 8th day of September, 2009. Jack, on behalf of all of Council, congratulations.

(Applause.)

MR. SHEA: Let me just briefly say that, you know, labor ---. We care about the community, and we try to demonstrate that in just about everything we do. It's not only just wages, hours and conditions of employment, but we care about the folks who don't have --- not fortunate to have what we have through our employer. So I want to thank the whole Council, everybody on the Council, for supporting this proclamation.

But I'm going to ask Jim McHale, who actually --- you know, in his younger days, 25 years ago, Jim had to fight for this a little bit. But my predecessor, he didn't think it would get off the ground, so for about 15 years there was no parade. But Jim persevered and they put it together. And I think, as Jim Burn said, I don't know if they had their first meeting for next year yet, but I know they stopped at a watering hole somewhere after the parade. So with that, let me introduce Jim McHale, a friend, a labor leader for years and years. And I'm just so glad that he started something that's really, probably from time to time, the largest in the country. This year we had between 60,000 and 70,000. The rain didn't slow us down in terms of the union members. I think that the folks who watched it were a little bit lighter than normal because of the rain. But for us it was a great success. Jimmy?

(Applause.)

MR. MCHALE: As Jack said, after the parade, there was a lot of people stopping at the watering hole. The rebirth of the Labor Day parade started when I used to teach a class over at the community college called Supervisory and Steward Grievance Handling. And after the class, well, we'd all go down to the Modern Café, and that's where the idea of restarting the parade started. We tried to get it going in '83, but Paul Stackhouse, Sr. really didn't want to go along with it. So in '84 we decided to start it ourselves and started selling raffle tickets and everything else. And God bless him, rest his soul, Paul Stackhouse, he went along with us and that was the greatest thing. And now Jack is here and he's continued it and I want to thank him. And Bobby Azen has the whole thing. Thank you.

(Applause.)

PRESIDENT FITZGERALD: Okay. We'll get Bob Azen up here. A little history about the Labor Day parade.

MR. AZEN: A bunch of young friends in labor were taking classes at a community college and we met at the Modern Café after class to discuss problems that we've encountered on our daily jobs as stewards and officers of our respective unions. Our discussion led to a question. How do we give the other members exuberance? Different unions made a difference in Pittsburgh.

Jim McHale, our leader, Candi Kaplan, Bill Fryberger, Tony Como, Don Renninger and who's now deceased, Lou Pappalardo, who was an instructor at the community college on labor history and me, Bob Azen, and the union president talked about having a Labor Day parade. But we were at odds. After a 16-year hiatus because of a fight on the South Side at the old P&R Railroad Station, they decided that --- no more parades. So we were up against a slim chance. We approached the leaders of the Labor Council and asked them if we could have a parade, and the answer was a resounding no. So we let the idea die a little bit.

We'd been meeting a lot of times, and we met again one night after an AFL-CIO convention for some libations at the Post Tavern on Smithfield Street. Thoughts of having a parade surfaced again, a lively discussion. This time, Judy Hay from the Pennsylvania AFL-CIO and Kay Tillow from CLU participated. Everybody was overwhelming to push Jimmy to go to the Council again. And this time, Paul Stackhouse, who was at the helm, after

some resistance, he said that he'd let us have a parade as long as it didn't cost the Council a lot of money. He even gave us a \$1,000 donation to get the charter started. The charter was drawn up, the by-laws. And we legally applied for a parade permit. The city was tough. They didn't want us to go along with it because they knew of the headaches from before, but Paul and Jim worked together and we worked it out.

So the Labor Parade Committee had a start. We sold raffle tickets, went around to all the unions. Jimmy McHale worked day and night and asked all the unions for help. Our response was great. Needless to say, much to many people's dismay, the parade was a booming victory. Pat Fagan along the second or the third year. And you know the rest. Pittsburgh is some place special to the labor movement. Many thanks to our president, leaders of the Labor Day parade, Jan Hvizdos and Tom Sweeney and presiding, Jack Shea, president of the ACLU. Much luck and continued success.

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: 5091-09.

MR. CATANESE: Proclamation honoring the 160th anniversary of the First Congregational Church of Etna. Sponsored by Councilman Burn.

5092-09. Certificates of Achievement congratulating Elizabeth Laman and Hannah McKeel for winning the Jefferson Regional Community Poster Contest. Sponsored by Council Member Cleary.

5093-09. Proclamation celebrating the Borough of Whitehall's Community Day. Sponsored by Councilwoman Cleary.

5094-09. Proclamation honoring Mr. Thomas Timcho for his outstanding managerial skills and for receiving a Diamond Award from the Pittsburgh Business Times. Sponsored by Councilwoman Cleary.

5095-09. Proclamation recognizing the tenth anniversary of HCR ManorCare Health Services. Sponsored by Council President Fitzgerald.

5096-09. Certificate of Recognition commemorating Sister Thomas Joseph Gaines' 25 years of service to the McKeesport Kane Regional Center. Sponsored by Councilman Macey.

5097-09. Certificate of Recognition honoring the 50th wedding anniversary of John and Thelma Decolati. Sponsored by Councilman Macey.

5098-09. Certificate of Recognition honoring the 50th anniversary of Donald and Elizabeth Sivak. Sponsored by Councilman Macey.

5099-09. Certificate of Recognition honoring the 60th wedding anniversary of Vince and Mary Cieslewicz. Sponsored by Councilman Macey.

5100-09. Certificate of Recognition honoring the 60th wedding anniversary of John and Bernice Palmiero. Sponsored by Councilman Macey.

5101-09. Proclamation commemorating the 75th anniversary of the Borough of Churchill. Sponsored by Councilman Martoni.

5102-09. Proclamation commemorating the 50th anniversary of Harvey Haddix's outstanding pitching performance for the Pittsburgh Pirates. Sponsored by Councilman McCullough.

PRESIDENT FITZGERALD: Excuse me. Point of order?

MR. MCCULLOUGH: Yes, I do. Thank you, Mr. Fitzgerald. I just want to call everybody's attention --- I passed around at the start of the meeting a short story that a dear friend of mine, Jim Whelan, wrote on Harvey Haddix. But for those of you --- I'm sure, there's many not old enough to remember the 50th anniversary of the greatest game ever pitched. Jim does a wonderful job encapsulating the significance of this truly momentous event. It was probably the finest individual performance in the history of the game of baseball of one ballplayer. And I think it's actually the finest piece of sports literature that I've ever read. So Jim gave me permission to pass this out. You all ought to take a look at it. It's a wonderful piece of reading. It details a wonderful human being and one heck of a baseball player.

PRESIDENT FITZGERALD: Thank you. 5103-09.

MR. CATANESE: Proclamation honoring Arnold Palmer on the occasion of his 80th birthday. Sponsored by Councilman McCullough.

5104-09. Certificate of Recognition honoring the opening of Borough of Homestead's new municipal building. Sponsored by Council Members McCullough and Fitzgerald.

PRESIDENT FITZGERALD: Public comment on agenda items.

MR. CATANESE: We have none.

PRESIDENT FITZGERALD: Approval of minutes.
5089-09.

MR. CATANESE: Motion to approve the minutes of the regular meeting of Allegheny County Council on August 18th, 2009.

MR. MACEY: So moved.

MS. CLEARY: Second.

PRESIDENT FITZGERALD: Moved, second.
Discussion? All in favor signify by saying aye.
(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. Presentation of appointments.

MR. CATANESE: 5083-09. Approving the appointment of Timothy J. Moury to serve as a member of the Accountability, Conduct and Ethics Commission for a term to expire on December 3rd, 2011. Sponsored by Council Members Gastgeb, Rea, Drozd and McCullough.

PRESIDENT FITZGERALD: Councilman Gastgeb?

MR. GASTGEB: From a procedural standpoint, Mr. Fitzgerald, I'm not sure if you want to read both of them.

PRESIDENT FITZGERALD: Oh, yes. Mr. Catanese, would you read 5084-09 as well?

MR. CATANESE: 5084-09. Approving the appointment of Ed Kress to serve as a member of the Accountability, Conduct and Ethics Commission for a term to expire on December 3rd, 2012. Sponsored by Council Members Gastgeb, Rea, Drozd and McCullough.

PRESIDENT FITZGERALD: Councilman Gastgeb.

MR. GASTGEB: Thank you, President Fitzgerald. The Republican Caucus met, as is our duty, with the two members of the Ethics Commission. And as stated by Mr. Catanese, we did select Mr. Timothy J. Moury and Mr. Edward Kress, both community servants and very good picks. Before I ask for this motion to be moved forward, I do want to thank Mr. David Oberdick and the late Bea Browand for their service, both original members of this Commission. At this point, I'd ask this to be moved forward.

MR. FUTULES: Second.

PRESIDENT FITZGERALD: Moved, second.
Discussion? All in favor signify by saying aye.
(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. They're both appointed. 5085-09.

MR. CATANESE: Approving the reappointment of Ronald Stone to serve as a member of the Accountability, Conduct and Ethics Commission for a term to expire on December 3rd, 2013. Sponsored by Councilman DeFazio.

PRESIDENT FITZGERALD: Councilman DeFazio?

MR. DEFAZIO: Yes. He's been on there doing a good job, so I'd like to make a motion that we reappoint Ronald Stone.

(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. Stone is approved. Unfinished business. Committee on Budget and Finance, second reading. 5062-09.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2009, Submission 13-09. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Chair Robinson?

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

MS. CLEARY: Second.

PRESIDENT FITZGERALD: Moved, second. Discussion? All in favor signify --- no. We've got to do a voice vote --- or a roll call vote. Please call the roll.

MR. CATANESE: Mr. Burn?
MR. BURN: Yes.
MR. CATANESE: Ms. Cleary?
MS. CLEARY: Aye.
MR. CATANESE: Mr. DeFazio?
MR. DEFAZIO: Yes.
MR. CATANESE: Mr. Drozd?
MR. DROZD: Aye.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: Aye.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: Yes.
MR. CATANESE: Mr. Futules?
MR. FUTULES: Yes.
MR. CATANESE: Mr. Gastgeber?
MR. GASTGEB: Yes.

MR. CATANESE: Ms. Green?
MS. GREEN: Aye.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: Yes.
MR. CATANESE: Mr. McCullough?
MR. MCCULLOUGH: Aye.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. Fitzgerald, President?
PRESIDENT FITZGERALD: Yes.
MR. CATANESE: Ayes 15, noes 0. The bill

passes.

PRESIDENT FITZGERALD: 5063-09.

MR. CATANESE: A resolution of the County of Allegheny amending the 2009 Capital Budget for Allegheny County. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Chair Robinson?

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

MS. CLEARY: Second.

PRESIDENT FITZGERALD: Moved, second.

Discussion? Please call the roll.

MR. CATANESE: Mr. Burn?
MR. BURN: Yes.
MR. CATANESE: Ms. Cleary?
MS. CLEARY: Aye.
MR. CATANESE: Mr. DeFazio?
MR. DEFAZIO: Yes.
MR. CATANESE: Mr. Drozd?
MR. DROZD: Aye.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: Aye.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: Yes.
MR. CATANESE: Mr. Futules?
MR. FUTULES: Yes.
MR. CATANESE: Mr. Gastgeb?
MR. GASTGEB: Yes.
MR. CATANESE: Ms. Green?
MS. GREEN: Aye.
MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: Yes.
MR. CATANESE: Mr. McCullough?
MR. MCCULLOUGH: Aye.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. Fitzgerald, President?
PRESIDENT FITZGERALD: Yes.
MR. CATANESE: Ayes 15, noes 0. The bill

passes.

PRESIDENT FITZGERALD: 5073-09.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2009, Submission 14-09. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Chair Robinson?

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

(Chorus of seconds.)

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

MR. CATANESE: Mr. Burn?
MR. BURN: Yes.
MR. CATANESE: Ms. Cleary?
MS. CLEARY: Aye.
MR. CATANESE: Mr. DeFazio?
MR. DEFAZIO: Yes.
MR. CATANESE: Mr. Drozd?
MR. DROZD: Aye.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: Aye.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: Yes.
MR. CATANESE: Mr. Futules?
MR. FUTULES: Yes.
MR. CATANESE: Mr. Gastgeb?
MR. GASTGEB: Yes.
MR. CATANESE: Ms. Green?
MS. GREEN: Aye.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Martoni?

MR. MARTONI: Yes.
MR. CATANESE: Mr. McCullough?
MR. MCCULLOUGH: Aye.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. Fitzgerald, President?
PRESIDENT FITZGERALD: Yes.
MR. CATANESE: Ayes 15, noes 0. The bill

passes.

PRESIDENT FITZGERALD: Committee on Government Reform, second reading. 4963-09.

MR. CATANESE: A resolution of the County of Allegheny, Commonwealth of Pennsylvania establishing that the Allegheny County Medical Examiner's primary laboratory facility shall henceforth be referred to as the Cyril H. Wecht Institute of Forensic Science. Sponsored by Council Members Fitzgerald, Cleary, Finnerty, Futules, Gastgeb, Green, McCullough, Robinson, Ellenbogen, Rea, Martoni, DeFazio and Macey.

PRESIDENT FITZGERALD: Okay. We had a meeting, a committee meeting on the 3rd of September in which the bill was affirmatively recommended by all members present. I think it's very appropriate that we are going to be renaming --- or naming the new laboratory the Cyril H. Wecht Institute of Forensic Science for all the great work Dr. Wecht has done and the notoriety that the surgeon brought upon our region and our city and our county to this day. He's probably the first person that they go to when they're looking for some expertise on some of the high-profile cases that we had in this country, and we're lucky to have such a person. I think it will be wholly appropriate to do that. So I'm going to ask for a motion for approval.

MR. MCCULLOUGH: So moved.

MR. MARTONI: Second.

PRESIDENT FITZGERALD: Moved, second. Mr. Burn?

MR. BURN: Mr. President, I'd respectfully ask to be added as a co-sponsor.

PRESIDENT FITZGERALD: Please add Mr. Burn as a co-sponsor. Please call the roll.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Cleary?

MS. CLEARY: Aye.
MR. CATANESE: Mr. DeFazio?
MR. DEFAZIO: Yes.
MR. CATANESE: Mr. Drozd?
MR. DROZD: Aye.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: Aye.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: Yes.
MR. CATANESE: Mr. Futules?
MR. FUTULES: Yes.
MR. CATANESE: Mr. Gastgeb?
MR. GASTGEB: Yes.
MR. CATANESE: Ms. Green?
MS. GREEN: Aye.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: Yes.
MR. CATANESE: Mr. McCullough?
MR. MCCULLOUGH: Aye.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. Fitzgerald, President?
PRESIDENT FITZGERALD: Yes.
MR. CATANESE: Ayes 15, noes 0. The bill

passes.

PRESIDENT FITZGERALD: Committee on Public Works, second reading. 5058-09.

MR. CATANESE: An ordinance authorizing the County of Allegheny to sell a 0.787-acre parcel of excess land at the intersection of Hulton Road, SR 2082 and SR 2058, and Coxcomb Road, SR 2083, formerly LR 677, in Plum Borough, to T.D. Holdings L.L.C. for consideration in the amount of \$67,999 upon approval by the Pennsylvania Department of Transportation. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Chair Macey?

MR. MACEY: Thank you, Mr. President and members of Council. The Committee met on August 26, and this ordinance was approved to the full Council. I therefore move this for approval.

(Chorus of seconds.)

PRESIDENT FITZGERALD: Moved, second.
Discussion? Please call the roll. I'm sorry. Mr.
Futules?

MR. FUTULES: I'd like to make a small comment.
I thank T.D. Holdings for coming in this evening. This
took a little while to get going for us, but we're very
happy that we got it done. And this is for the
construction of a Sheetz on a couple of out parcels in the
area of Plum Borough and Oakmont at the corner of 909
Hulton Road. And I'm going to be a patron there myself.
Thank you.

PRESIDENT FITZGERALD: Please call the roll.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Cleary?

MS. CLEARY: Aye.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Mr. Gastgeb?

MR. GASTGEB: Yes.

MR. CATANESE: Ms. Green?

MS. GREEN: Aye.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Yes.

MR. CATANESE: Mr. McCullough?

MR. MCCULLOUGH: Aye.

MR. CATANESE: Ms. Rea?

MS. REA: Yes.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Aye.

MR. CATANESE: Mr. Fitzgerald, President?

PRESIDENT FITZGERALD: Yes.

MR. CATANESE: Ayes 15, noes 0. The bill
passes.

PRESIDENT FITZGERALD: 5059-09.

MR. CATANESE: An ordinance authorizing the County of Allegheny to clear the right-of-way for, and to acquire by condemnation, Parcel 2 of W.C.S.R., Incorporated for construction of the McKeesport South Flyover Bridge, and to take such further action as may be necessary under applicable law, including the Eminent Domain Code. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Chair Macey?

MR. MACEY: Thank you, Mr. President. We met on August 26th, and this particular ordinance was moved for a complete vote for full Council. I make a motion to approve 5059-09.

MR. MARTONI: Second.

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

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Cleary?

MS. CLEARY: Aye.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Mr. Gastgeb?

MR. GASTGEB: Yes.

MR. CATANESE: Ms. Green?

MS. GREEN: Aye.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Yes.

MR. CATANESE: Mr. McCullough?

MR. MCCULLOUGH: Aye.

MR. CATANESE: Ms. Rea?

MS. REA: Yes.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Aye.

MR. CATANESE: Mr. Fitzgerald, President?

PRESIDENT FITZGERALD: Yes.

MR. CATANESE: Ayes 15, noes 0. The bill passes.

PRESIDENT FITZGERALD: Liaison reports. I note we have a couple this evening. Councilwoman Cleary?

MS. CLEARY: Yes. I just have two quick things I want to remind folks about. ALCOSAN is having their open house on September 19th from 9:00 a.m. to 4:00 p.m., and this is the region's largest watershed and environmental thing. The kids really like it and they can learn a lot there. Also, the Health Department is giving free smoke detectors to eligible people in eligible communities. So you can call the Health Department or call here and find out if you qualify, if you need one. Thank you.

PRESIDENT FITZGERALD: Councilman Futules?

MR. FUTULES: Thank you. Now, this morning at North Park, Jan Rea and Matt Drozd were present for the official valve turning of the North Park Lake ecosystem. They told us that it was going to take anywhere from four to six weeks to drain the lake and another four to six weeks to dry it, and the project is going to be completed some time in May of 2011. And the question is, where the fish are going. They are going to be transferred, the large fish, to Deer Lake Park, and some of the smaller fish, they said, will go downstream and migrate. And this project is done by the Army Corps of Engineers, and today was the official valve turning. It was kind of symbolic. We stood on the bridge. It was like being at Kennywood. We really didn't do anything, but ---. So the actual valve was up high, so we got to do it from the bridge. We actually saw the water starting to come out. And it's going to be a great project for the area. Thank you.

PRESIDENT FITZGERALD: Thank you, Councilman. Councilman Macey?

MR. MACEY: Thank you, President Fitzgerald. On August 25th, President Fitzgerald and myself was given a tour of the North Shore Connector beginning at the new Gateway Center construction site. Well, once we descended down into the construction site, lo and behold, there was two very large circular tunnels, and they were ominous. We walked those tunnels while getting an overview of the construction process. And after approximately a mile, we reached the end, the light at the end of the tunnel.

And to the right, we could see construction for the spur that will take this particular T off to the North

Hills. And further on, we came across the platform, a very large platform where many of our --- the patrons will embark and disembark. And just beyond that was the bridge that went on beyond Heinz Field, and hopefully, in the very near future, will be off to the International Airport.

What I like about this for Allegheny County and for the residents of Allegheny County, we've got about \$570,000,000 worth of construction for only \$12,000,000. And for those people that think that this is a tunnel to nowhere, I challenge them to go over and take a look at this, especially North Shore, where there's a lot of construction and entertainment and a lot of activity as well as education through the community college. Thank you very much.

PRESIDENT FITZGERALD: Thank you. Do we have any other liaison reports? Moving on, new business. Ordinances and resolutions. 5086-09.

MR. CATANESE: An ordinance approving the sale of certain real property owned by the County of Allegheny, Pennsylvania to a development group comprised of Massaro Properties L.L.C., Langholz Wilson Ellis, Incorporated, Kratsa Properties and Tasso Katselas Associates, Incorporated for the sale price of \$4,900,000, for the purpose of demolishing the current building located thereon and constructing a new development, including a hotel, office building and parking garage. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Refer to Committee on Economic Development and Housing. 5087-09.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the use of County-owned real property for the purpose of placing wireless antennae on County-owned property for the purpose of constructing a countywide broadband interoperable wireless communication network. Sponsored by the County Controller and Councilman Finnerty.

PRESIDENT FITZGERALD: Refer to Committee on Public Works. 5088-09.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2009, Submission 15-09. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Refer to Committee on Budget and Finance. I'm sorry. Mr. Finnerty, did you wish to comment on the last item?

MR. FINNERTY: No. That's fine.

PRESIDENT FITZGERALD: Mr. Drozd?

MR. DROZD: Yes, Mr. President. I have two ordinances to be introduced tonight.

PRESIDENT FITZGERALD: Do you want to go ahead and ---? You're going to make a motion to place these on the agenda?

MR. DROZD: Yes, sir.

PRESIDENT FITZGERALD: And would you please discuss them as to what their nature is?

MR. DROZD: Yes, sir, I will. First and foremost, you know, we've seen a lot and heard a lot in the news about G-20 Summit coming in. Everyone is really excited about it and hopefully some good things will come out of that. But there have been provisions of expenditures made for the G-20 Summit. And as I asked at the one committee meeting of our County Manager, are we assured --- the people of Allegheny County, the taxpayers, we as the county are going to get reimbursed for these expenditures? And the answer came back, we're not guaranteed that.

In that essence, during these past three years that I've been on Council, I've had to look constituents in the eyes. Yesterday, I walked a lot of --- one part of my district. I saw roads that need bad repair. I still see a half caved-in road in my district. I see other districts with the same situation, deplorable conditions of roads, bridges that we're concerned about, infrastructure that's waiting to happen and needs to be badly repaired, the people that cannot, no longer --- many of which can no longer carry any additional taxes.

With all this in mind, I can't in good conscience let this go without making a statement that we really need to look back and reflect on --- and also reflect on future conditions where we commit funds that are really prioritized in other areas. And I'll state this, which was said about --- when the people ask us simply to repair their roads, their bridges, the infrastructure, trying to alleviate some tax burden on them, while at the same time they also say to us, take care of the day-to-day needs that's contracted to the Council. And what they get is --- in one instance, they

get what I consider a tunnel to nowhere. On the other hand, they ask for the same things to us. They continually repeat these same questions, roads, bridges. When are you going to fix these? When are you going to fix them?

Now they're going to get a G-20 Summit and the use of their taxes. Even though the funds may come and be reimbursed by the federal and state authorities, it perplexes me for when I continually cry out to our government and ask for roads and bridges to be repaired, not only in my district, but in other districts, there seems to be funding always available for those type of expenditures of this nature, but yet none available to take care of the problems and the needs of the people. Just like when you go in to the doctor and you've got a case of tonsillitis and you say, you know what, the doctor says you should have your tonsils removed, but would you like to have a facelift? It's going to make you feel good, but it's not going to take care of what should be the priority.

And that's what I envision here in Allegheny County, that there are other priorities that need to be taken care of. When all is said and done and all gone, the people are still going to have problems with the roads, problems with the bridges and problems with their day-to-day needs. In all good consciousness, as an elected official, I can't allow that to just go by without making a statement, when all those people out there had asked me that question day to day as I go through my district and even other districts that I see people from across the county saying the same thing. Every question comes up the same way.

So therefore, I'm putting up this ordinance, two of them. The first one, basically --- and we'll go through this first one and then I'll go into the second. The first one just basically says that in any future expenditures of this nature, when there's commitment of County assets and properties ---. And when I say properties and assets, whether it be a police officer --- the police officer, when he goes --- he goes or she goes --- they go in a County police car. They go with the County equipment and weapons and ride here. When any of those commitments --- and even in the Federal government, when forces are chopped ---. Sorry. I used the word chopped. It's an old military term. When they convey to

another entity, whether it be NATO or whatever, they must go before Congress for approval in many instances. And I think this is the same thing.

I think we as a Council have to flex, in essence --- at least have an opportunity to express and enter into the planning when we go on the extraordinary day-to-day operations of this county. And this is different. I know when we do the State of the Union --- and I used to work on --- serve on planning the State of the Union or inauguration, in those plans, or response plans, it was months ahead that we did that. And I have concerns about the safety, the public's safety of our people and conditions we have, because we haven't had a lot of time to plan this. So with this in mind, I'd like to ask my fellow Council members, if I make a motion, to put this first ordinance into effect, which requires that the Chief Executive comes before us and discusses this and gets our approval when these extenuating circumstances occur.

PRESIDENT FITZGERALD: Councilman, first you need to make a motion to place the item on the agenda.

MR. DROZD: Yes. That's what I'd like to do. I'd like to place the item on agenda. Thank you.

MR. GASTGEB: Second.

PRESIDENT FITZGERALD: Moved, second. Any discussion on placing the item on the agenda? Seeing none, I'm just going to do a motion. All in favor of placing the item on the agenda signify by saying aye.

(Chorus of ayes.)

MS. CLEARY: No.

PRESIDENT FITZGERALD: Okay. I was going to ask for a no. I didn't ask for a no yet. No?

MS. CLEARY: No.

PRESIDENT FITZGERALD: Please signify that Ms. Cleary votes no, but that the motion to place the item on the agenda passes. And now we will place the item on the agenda. I'd like to refer to the Government Reform Committee. Mr. Drozd, do you have another one that you want to ---?

MR. DROZD: I just would like to make a motion to put this in effect because we don't have a lot of time here.

PRESIDENT FITZGERALD: You want to make a motion to waive the second reading?

MR. DROZD: Waive the second reading.

PRESIDENT FITZGERALD: This is an ordinance;
right?

MR. DROZD: Yes, sir.

PRESIDENT FITZGERALD: Okay. Motion to waive
the second reading?

MR. MACEY: Second.

PRESIDENT FITZGERALD: Second. Discussion? Mr.
Ellenbogen.

MR. ELLENBOGEN: I have a question, if I could
ask Councilman Drozd. And what I want to ask you,
Councilman, is, if we're in the middle of some kind of an
emergency and, you know, the emergency people need to make
an expenditure on the spot, would this affect that?

MR. DROZD: No, because we're prepared for day-
to-day emergencies within the county. And in essence,
there's going to be preparations made already and
committed by the city. Most of these operations are going
to be taken care of in the city itself. I think we have
enough time before --- at least if the Chief Executive
could come before Council and gain our approval at least
to attend this. And from what I understand, the plans are
underway anyhow.

MR. ELLENBOGEN: Mr. President, a follow-up.

PRESIDENT FITZGERALD: Yes, Mr. Ellenbogen,
please proceed.

MR. ELLENBOGEN: Regardless of this G-20, the
problem I have with this is I don't think that anybody
really knows what to expect here. And it bothers me to
handcuff the emergency and police chief if it comes in to
spending some money. And that's the problem I have here,
because we can't prepare for something that we don't
really even understand yet. Thank you.

PRESIDENT FITZGERALD: Yes. Mr. Drozd --- and I
appreciate the intent, because I think it is important
that Council be apprised and be part of any planning that
goes on. This looks like a pretty major type of thing to
do kind of on the spur of the moment. I haven't had a
chance to really look at it, maybe review it with our
legislative aide, Mr. Barker, with our solicitor, to kind
of see, you know, legally how this can actually go into
effect.

I think there are some questions. I think
they're, you know, legitimate questions. I think it makes
--- you know, you're bring forth a very, very good idea
that we need to explore. But I just --- for myself, I

guess, I feel a little uncomfortable voting yea or nay this evening without having had a little bit of time to review it. I'd ask your comment on that and other members as well. Mr. Futules and then Mr. Gastgeb.

MR. FUTULES: I agree with what we're doing here. I believe this is a very important issue, and I would ask the Council President to take this to the committee immediately and discuss it as early as next week before we make any motion here tonight. I believe there's a lot to be discussed.

PRESIDENT FITZGERALD: Mr. Gastgeb?

MR. GASTGEB: I'll go along with the same sentiments and that. I think it's a timely --- and as far as thinking goes, it's conceptually a good idea. I compliment him for that. Just so I understand correctly --- because this is really about the components, I think, that we're looking at with regard to G-20. The reimbursements to the county, I think we all need to be --- what role --- should Council vote, in addition to the grants? And I believe on the Airport Authority two years ago, we had \$19.8 million that came in to the County operating budget. We did it that time pass legislation that required the Chief Executive to, I believe, come before us in writing or publicly to tell us how it's going to change the budget. Maybe in this case, it's not changing the budget. I don't know. So Mr. Futules' comment about a committee meeting may be in order.

But if we do pass this, I would think that you would need additional votes after this to pass the appropriation. I mean, there is a budget out there. It's been on the news. We know what it is. It's \$18,000,000, if memory serves me correct. It would just simply require our input into voting, like our City Council did, if this passes. So I think what Mr. Drozd is doing is kind of closing the loop, probably wish I had this maybe a month ago so we could see the role that this Council should rightfully play. But I do think it's intriguing and I do think it's a necessary debate in this chamber. Thank you.

PRESIDENT FITZGERALD: Councilman McCullough?

MR. MCCULLOUGH: Thank you. I think to some extent, a discussion of this legislation is closing the barn door after the horse is gone. If the idea is to have something like this when we have to deal with G-20, this isn't going to do it. G-20's coming in about two weeks. And you know, the earliest this can be entertained is

going to be two weeks from tonight, and that's just not going to be feasible to expect the Chief Executive to turn on a dime and come back here and comply with this.

I think, however, in hearing the comments from everybody up here, this bill expresses an underlying frustration that many of us have with the lack of communication we've received from the Administration throughout this. Now, I'm not going to belabor the point. Rich, you conducted a very open and full discussion of this at the Government Reform Committee meeting. And you know, I had my chance to state my case to the County Manager, you know, and he said this piece in response. I sent all of you an e-mail summarizing my issues and concerns, and the County Manager and the Chief Executive have that as well.

I'm not satisfied with the status quo, but I'm only one vote here. I think that collectively, we need to do something. You know, this is nice words and all that, but it's not going to get it done. We've got the County Manager here and, you know, why not ask him to bring us up to speed and evaluate where we need to go based on what he tells us? I mean, he's got all my comments out there. He's got comments from a number of you. If collectively we're not satisfied with that --- well, he's here. Let's deal with it now and not tell ourselves we're going to look at an ordinance a couple weeks from now. It's not going to be relevant by the time we can act on it.

PRESIDENT FITZGERALD: Any other comments before we do the waiver of the second reading? Mr. Drozd?

MR. DROZD: You know, Mr. Chairman, I'd be inclined to allow this go into committee based upon what has been expressed, if I was allowed to make a further observation on this.

PRESIDENT FITZGERALD: Yes.

MR. DROZD: You know, I wanted to ask, too, because, you know, I commented about the flooding issues. And I can't help but think of all the people that I faced. I looked in the faces that were affected by the flooding. Councilman Burn and my district, we both had --- we really tried to console them late at night, whatever have you. It's still waiting to happen, because there aren't funds there to correct the situation. There aren't funds there.

And lastly, I'll tell you this. There was a comment by a fellow councilman, we don't know. That's correct. I did this for --- since 9/11, since shortly ---

when they hijacked the plane and hit the Pentagon. It's called consequence management. And what it is, you look and you prepare for the worst case scenario and you do the least case scenario, and there's a lot of modeling involved. I will tell you this. This was not adequately prepared for because there's not any city in the country that's prepared when it happens. This is not just like a U.S. Open or whatever or the Super Bowl, even though they do bring problems that can ensue. These are G-20, the top 20 countries in the world, the top leaders, that come in here that are --- I don't want to use a term lightly. Let's say objects, demonstrators and terrorists, and they become targets. And when that happens, we put our people in harm's way without properly preparing them.

When we prepared for inaugurations, those plans were built months if not years ahead when each occurs. There's no city except a few ---. We've talked about the police forces and how many are going to be involved. We talked about the bedding in the jails of 1,000 beds. That's not all that needs to be discussed. It's the responders, worst case and least case scenario. We need to talk about how the national defense system is going to be activated if a worst case scenario happens. And that means beds all through the systems of the hospitals and responders, medical assets and medical folks that are going to respond to that.

So I'd like to see --- instead of tonight, I'd like to see maybe little more briefing at this point from 911 for us to know how things are going to be handled. And maybe we can discuss and look at our districts to convey that information, because there's a lot of concern out there in the suburbs. A lot of people have asked the same questions, from what I understand, what one commentator said to me today.

So I'll leave it with that. I'm willing to put it into committee. But I'd also like to go a little further and learn a little more about how we are preparing for the responding, the medical component. Those are the type of responses that we need to see, and I'd like to hear that from 911, the Administration. Thank you, Mr. President.

PRESIDENT FITZGERALD: Councilwoman Cleary?

MS. CLEARY: Yes. I think someone commented ---. I believe the Federal government will be dealing with all the security issues. That's what they do. So I

have every confidence that the Federal government is going to keep everyone safe here. And I'm sure they have all the medical machines and everything else in hand. Thank you.

PRESIDENT FITZGERALD: Mr. Drozd?

MR. DROZD: Last thing I'll say is, I've never bet the people of Allegheny County that the Federal government's going to handle everything. The Federal government is in Washington, D.C., and those assets are there. They have to respond to the national capital region. And I'm an expert on this. I know this. And they aren't going to send assets that are going to be necessary to take care of that, necessarily. We have to take care of that. You can count on that. They may send some assets. And they will respond. There's a time element. There's a golden hour for our people. Do you know what the golden hour is? It's a matter of sustaining life. People know that. So there's a lot more to this than just the Federal government responding. I know. I've done this for a lot of years. Thank you, Mr. President.

PRESIDENT FITZGERALD: Councilman Ellenbogen.

MR. ELLENBOGEN: I just want to say that I think Councilman Drozd's heart is in the right place. But something Councilman McCullough said that kind of raised my attention is communication. I think it should be noted that President Fitzgerald should be commended for taking his own time and spending, I'm sure, hours in trying --- because I know I spent a lot of time talking to him and communicating with all of us what was going on after, you know, Pittsburgh City Council had made some comments.

So maybe we need to maybe ask those questions. What do we, as a Council, expect from the Administration in terms of the kind of communication that we would want to see? I mean, we did --- I did have a long dialogue with President Fitzgerald, and I'm sure a lot of you have talked to him. And again, he should be commended for spending an inordinate amount of time that he does in trying to communicate with all of us. But you know, are we satisfied with communication after --- because you know, for every action is a reaction. This communication was a reaction to some, I thought, unfair comments that were made from across the street. So, I mean, that's a question we need to ask ourselves, I think. Thank you, Mr. President.

PRESIDENT FITZGERALD: Refer to Committee on Government --- I'm sorry. Mr. Gastgeb?

MR. GASTGEB: Still under discussion, I also want to thank Rich. At the meeting we had Thursday, I felt that our Council really was very engaged. So was Rich. I think his questions were fair and appropriate. It was probably over an hour long. I appreciate the County Manager who really answered all the questions, too. If I could take Mr. McCullough's request and ask the County Manager to come up. I think the question I asked Thursday, I'd like to make it public because of the G-20. So I'd ask that courtesy from President Fitzgerald.

PRESIDENT FITZGERALD: Mr. Flynn, would you come forward and enlighten us? And I appreciate your comments in here, Mr. Ellenbogen, as well. We did try, you know, to elicit as much information. We've had a couple of meetings, actually. We had one, I guess, it was, maybe, three weeks or four weeks earlier, to try to elicit as much dialogue as we can on this special event. Mr. Gastgeb?

MR. GASTGEB: And I'm satisfied with the numbers that Manager Flynn brought forth, but I had a question. I just want to make sure I understand this correctly, since part of Mr. Drozd's bill revolves around reimbursement. And my question would be, the reimbursement that we're expecting from the Federal government --- and I like how you outlined how it should be broken down. But the appropriation, is it going to be made strictly to the City or the City and the County? Or do you know at this time?

MR. FLYNN: Is this the \$10 million from the Federal government?

MR. GASTGEB: Correct.

MR. FLYNN: That's going to go to the City to fund the outside police officers and lodging and supplies that they would need.

MR. GASTGEB: My follow-up question would be, wherever reimbursement we're expecting from the County --- from the Federal government, would that appropriation be sent directly to the County, or would the City receive it first and send it over to us?

MR. FLYNN: Right now, I don't have the chart that I handed out at the committee meeting. But it wasn't showing any Federal money coming to the County with the exception of the \$1.25 million from Region 13.

MR. GASTGEB: So the Region 13 money, to your knowledge, will come directly to the County, or does it go to the City first?

MR. FLYNN: The \$1.25 million will come directly to the County.

MR. GASTGEB: Thank you. I'm just trying to get this all clear on how the money is going to be coming in.

PRESIDENT FITZGERALD: Thank you. Mr. Drozd, you had another item, you indicated?

MR. DROZD: No, sir. I'll hold that. And I look forward to further information from Mr. Flynn and his competent staff. I'd like to see that whenever possible. That would be great. Thank you.

PRESIDENT FITZGERALD: Mr. McCullough?

MR. MCCULLOUGH: Jim, we had a rather lengthy discussion about all of this last week and I sent you an e-mail, so I'm not going to review all of that. The two issues that really are primary concern, leaving aside what I think is a need to have a Council approval for an intermunicipal agreement here, first of all, is the insurance certificate issue. My concern is we need to have that certificate reviewed, preferably by you and the Law Department to make sure that our police, when they're under the flag of City Police, are covered. Now, what can you tell us about this since last Thursday?

MR. FLYNN: Well, not much has changed. We're still working with the City, the Law Department, to be added as an additional insured on the certificate.

MR. MCCULLOUGH: All right. That's the intention, to make that happen?

MR. FLYNN: Yes.

MR. MCCULLOUGH: All right. Well, that's important. And I think it would be important for that document to be communicated to all of us. Now, Jim, the other issue I have is, as I understand your numbers, if the money hits the way it's budgeted, that this is the only reimbursement. There is a relatively small shortfall that Public Works is going to have to absorb, about \$135,000, a relatively small shortfall. The Port Authority is going to have to absorb about --- I should say absorb the amount of \$192,000, but the Airport Authority is going to have about a \$4.1 million hit.

Now, my concern, first of all, I don't want to see that happen to any County-related entity or any component unit of the County. My concern is an assurance

that there will be no recourse against Allegheny County by the Airport Authority, i.e., I don't want the Airport Authority looking at us saying, we didn't get the money we needed to reimburse us for this, we did this to help the County, we expect the County to make good on the \$4 million. Now, what assurances do we have in writing that they have no recourse against the County?

MR. FLYNN: There's nothing in writing. That's what I testified to last week. I also testified that based on my reading of the comments from the Airport Authority spokesperson was that that \$4.1 million was in the fund and was available. They did not contemplate making those repairs to the runways and tarmac, that was the lion's share, that was \$3 million. The anticipated costs from the Airport Authority were in the \$500,000 to \$700,000 range.

MR. MCCULLOUGH: So what you're telling me is that if they don't get funding, they don't anticipate spending this \$3 million-plus; is that correct?

MR. FLYNN: That's correct.

MR. MCCULLOUGH: Well, you know, they're running out of time. So do they need these improvements or not, and how are they going to get them done in a couple of weeks and what have they heard about getting the funding?

MR. FLYNN: Well, I don't believe they're going to be making those improvements to the tarmac. I think when they submitted that request, that was at the behest of the 911th Air Wing out there. They have since found additional areas or additional runways to use to store the aircrafts that are coming in.

MR. MCCULLOUGH: All right. What I would appreciate is if you could clarify the situation for us and give a response to the e-mail I sent out and include clarification of that issue and the insurance certificate issue as part of your response as soon as possible, please. Thank you.

PRESIDENT FITZGERALD: Mr. Finnerty and then Mr. Drozd.

MR. FINNERTY: Thank you. Mr. Flynn, I think that the community --- didn't you inform us that the \$3 million for that runway pad was withdrawn and it wasn't ---?

MR. FLYNN: That's what I recall talking about, yes. I thought I specified that.

MR. FINNERTY: Thank you.

PRESIDENT FITZGERALD: Mr. Drozd?

MR. DROZD: I've heard different ways, whether our forces, our security forces or the City or vice-versa. I'm sure there's some kind of manned control communication system that's put in place. Who's going to have ultimate control over this, the EMS and responders as well as the security part of it? Is that in place now, Mr. Flynn? And I don't want you to reveal anything that might be something --- you know, any discussion or anything like that. That's being worked on now?

MR. FLYNN: Yes, sir.

MR. DROZD: It is? If we could have some briefing on that later, I would greatly appreciate it. Thank you.

PRESIDENT FITZGERALD: Mr. Flynn, I appreciate you coming tonight. During the Committee meeting, you were here over an hour giving us a lot of information, budgetary. And I just want to publicly say we appreciate you sharing that with Council. Mr. Ellenbogen?

MR. ELLENBOGEN: Mr. Flynn, I just want to ask you --- and it's more of a comfort thing for me. When this is all going, on being that you're in charge of all the departments, you will be onsite somewhere?

MR. FLYNN: I was scheduled for vacation, so I don't know. Yes. I will be at my office or throughout the County.

MR. ELLENBOGEN: Thank you.

PRESIDENT FITZGERALD: Mr. Catanese, would you read the bill so we have it officially in the record and then we'll refer to the Government Reform?

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania amending the Administrative Code of Allegheny County, Article 801, entitled Comprehensive Fiscal Plan 801.10, entitled Control and Monitoring of Expenditures in order to provide a mechanism for treating certain unbudgeted expenditures.

PRESIDENT FITZGERALD: Refer to Committee on Government Reform. Mr. Drozd, you do not have another one? Is that ---?

MR. DROZD: No, sir. Let it lie with that one and we'll go from there.

PRESIDENT FITZGERALD: Okay. New business, motions. 5105-09.

MR. CATANESE: Motion of the Council of Allegheny County pulling Bill Number 4724-09 amending and

supplementing the Allegheny County Code of Ordinances through the creation of a new Chapter 491 entitled Investment Policy in order to provide for divestiture of certain county investments in companies doing business with state sponsors of terrorism from committee for an immediate final vote. Sponsored by Councilman McCullough.

PRESIDENT FITZGERALD: Councilman McCullough?

MR. MCCULLOUGH: Yes. Mr. President, as you know, you and I have discussed 5105 and 5106 shortly before the meeting. And based on that discussion, I would like to have this go back in committee with the understanding that we'll try to get together in a few weeks to scrub this up for final consideration.

PRESIDENT FITZGERALD: That's correct. But we're going to invite the members of the Investment Board, which include the Treasurer, the Controller and County Executive, to brief us on policies and how we can implement from --- preventing us from investing in contracting with companies that do business with state-sponsored terrorists. And 5106-09 the same?

MR. MCCULLOUGH: That's correct.

PRESIDENT FITZGERALD: We're going to withdraw that and send that back to the Government Reform Committee. Mr. Ellenbogen?

MR. ELLENBOGEN: I just had a comment to something that Councilman Futules brought up about the money being expended in North Park. You know, it's interesting that sometimes decisions that are made in the past cost us a lot more money in the future. Now, 11 years ago, when I was Chief of Operations for Allegheny County Special Services, we used to have dredge boats that used to do the dredging in North Park Lake to keep from happening what's happening now. And I can remember when we went to who the leaders were in the County at that time, they refused to allocate money for us to fix those dredge boats. And I remember us telling them that if you don't, the lake is going to fill in and it's going to affect everything. And here we are 11 years later and \$12 million it's going to cost for something that could have been fixed for a mere few thousand dollars. So like I said, decisions that were made in the past --- and I'm very thankful that those same leaders are no longer in office. Thank you.

PRESIDENT FITZGERALD: Thank you, Mr. Ellenbogen. Public comment on general items, non-agenda

items. We have three speakers this evening. Mr. Jim Barr. Mr. Barr, come forward and state your name and address for the record, please. Go ahead, Mr. Barr. Your name and address for the record, please.

MR. BARR: My name is Jim Barr and I live in Westview Borough. At the August 25th Allegheny County Council Meeting, Ordinance 5706-09 was added to the agenda during the meeting and voted on without public comment. I wanted to speak on the ordinance, this ordinance, 5706-09. President Fitzgerald denied me my right to speak and thus perpetrated fraud on the people of Allegheny County. This ordinance was forced through Council to eliminate public comment on the controversial security issue for the G-20 Summit. President Fitzgerald did not permit public comment on this very important G-20 summit security. His conduct is of an extremely naïve nature or plainly unethical. I would then demand that President Fitzgerald's oath of office --- I will demand an oath of office and I will hold him accountable in his personal capacity to uphold his oath for office for the United States of America and this Commonwealth of Pennsylvania. And I emphasize, I want this Council to secure all of the God-given rights of all the people of Allegheny County. And last of all, I demand that my comments at the August 25th and this meeting be included in the agenda synopsis. That's all I have.

PRESIDENT FITZGERALD: Thank you, Mr. Barr. Les Ludwig? Mr. Ludwig, would you state your name and address for the record, please?

MR. LUDWIG: Thank you, Mr. President. My name is Les Ludwig. I live at 6589 Rosemoor Street in Squirrel Hill. I'm a candidate for the mayoralty or the position of mayor of the City of Pittsburgh. And I've been at every meeting that I can find. And we have two groups of information that are being distributed to you now. One covers the very things that Matt has addressed, roads, so on and so forth. It's money. And the other is as it's been noted, what's the degree of damage and how are we going to pay for it? Therefore, you've got money and you've got money. You've got taxes up to here and everybody says the same thing. You can't raise them any higher. But there is a thing called community responsibility that I address in my writing. And that community responsibility says that we have two major areas. We have mass area and the area for the City is

what, a small thing called a promise in making sure the kids get to college. That and also, of course, last but not least, the mess or convention.

So therefore, here you are on top of the taxes and here is community responsibility. How are you going to fill the gap? I write and propose a method of everyone looking at themselves and saying, would I spend three cents to send my kid to college or would I spend \$200,000? I'll leave you with the choice. Come back to me if you're interested.

PRESIDENT FITZGERALD: Thank you, Mr. Ludwig. Merlina Brajovic. Merlina, if you'd state your name and address for the record, please.

MS. BRAJOVIC: I'm Merlina Brajovic. I live at 221 8th Street in Blawnox. I just wanted to thank you for allowing me to speak this evening. I wanted to ask a couple of questions. How much money is it going to cost the taxpayers for security at the G-20? The second question is, are we going to be paid back our money by the federal government reimbursement like I believe we were promised that money? And are we going to provide police --- are we going to provide a place for the officers and to be able to take care of them in case if any one of --- any of them get hurt? Those are the questions.

And I also wanted to make a quick announcement. We have a Freedom Conference 2009, a free market alternative to the G-20 Summit. And we're going to have three speakers, Tom Woods, Joan Veon and G. Edward Griffin. He was also author of The Creature from Jekyll Island book. And anyone that is interested for public record, you can go on the website, www.freedomconference2009.com. Thank you very much. I yield to the next speaker.

PRESIDENT FITZGERALD: Thank you, Ms. Brajovic. Before we adjourn for this evening, I just want to announce we're going to be holding an executive session at the back with Mr. Wojcik, our solicitor, for the purpose of discussing the litigation before the Commonwealth Court --- or Common Pleas Court with regard to the assessments. Mr. McCullough?

MR. MCCULLOUGH: If you don't mind, Mr. Fitzgerald, I'd just like to comment on what the last speaker said. I've had the opportunity to read The Creature from Jekyll Island and it's not --- it is a horror story. It's an economic horror story about the

origins of the Federal Reserve Bank. If anybody has any interest in military policy, the development of military policy in this country and really another perspective into the insights of the economic and financial meltdown we had last fall, I highly recommend this book. It is an extensive and very excellent piece of writing and actually foretold the kind of chaos that we had. If G. Edward Griffin is a speaker, it would be well worth the price of admission to hear what he has to say.

PRESIDENT FITZGERALD: Thank you. And also, just one last final announcement. The County Executive, Mr. Onorato, will be coming at our next meeting, September 22nd meeting, so I'm sure there will be some questions and discussion regarding G-20. With that, do I have a motion to adjourn?

(Chorus of motions.)

(Chorus of seconds.)

PRESIDENT FITZGERALD: Meeting adjourned.

MEETING ADJOURNED AT 6:10 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