

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

Dr. Charles J. Martoni		President, District 8
Nicholas Futules	-	Vice President, District 7
John P. DeFazio	-	Council-At-Large
Heather S. Heidelbaugh	-	Council-At-Large
Matt Drozd	-	District 1
Jan Rea	-	District 2
James R. Burn, Jr.	-	District 3
Michael J. Finnerty	-	District 4
(vacant)	-	District 5
John F. Palmiere	-	District 6
Robert J. Macey	-	District 9
William Russell Robinson	-	District 10
Barbara Daly Danko	-	District 11
James Ellenbogen	-	District 12
Amanda Green Hawkins	-	District 13

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

Tuesday, February 19, 2013 - 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:

William McKain - County Manager
Andrew Szefi - County Solicitor
Joseph Catanese - Director, Constituent Services
Jared Barker - Director, Legislative Services
Walter Szymanski - Budget Director
Jack Cambest - County Solicitor

PRESIDENT MARTONI: The February 19th meeting, 2013, of Allegheny County Council will come to order. Please rise for the Pledge of Allegiance, led by Councilman Drozd. Matt?

(Pledge of Allegiance.)

PRESIDENT MARTONI: Please remain standing for a moment of silent prayer or reflection.

(Moment of silent prayer or reflection.)

PRESIDENT MARTONI: Be seated. Roll call.

MR. CATANESE: Mr. Burn?

(No response.)

MR. CATANESE: Ms. Danko?

MS. DANKO: Here.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Here.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Present.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Here.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Here.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Here.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Present.

MR. CATANESE: Ms. Heidelbaugh?

(No response.)

MR. CATANESE: Mr. Macey?

MR. MACEY: Here.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Here.

MR. CATANESE: Ms. Rea?

MS. REA: Here.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Present.

MR. CATANESE: Mr. Martoni, President?

PRESIDENT MARTONI: Here.

MR. CATANESE: Twelve (12) members counted present.

PRESIDENT MARTONI: Proclamations/
Certificates. 7426-13.

MR. CATANESE: Proclamation declaring February 21st, 2013 as Conductive Educational Awareness Day in Allegheny County and thanking Steps to Independence for all it has done to improve the lives of children with

cerebral palsy and other mobility disorders. Sponsored by the Chief Executive, Council members Finnerty, Burn, Danko, DeFazio, Ellenbogen, Futules, Green Hawkins, Macey, Martoni, Palmiere and Robinson.

MR. FINNERTY: Thank you, Mr. President. Would you please join me up here, Cristina Whysol (phonetic).

MS. WYSOL: Yes.

MR. FINNERTY: It's my honor to present this and declare this Conductive Education Awareness Day in Allegheny County. For everything you do, we appreciate it. And I'll read the proclamation, and then you can say a few words. This is from Allegheny County Chief Executive Rich Fitzgerald and Allegheny County Council.

WHEREAS, conductive education is an effective education program for children with major and motor disorders/disabilities. The program emphasizes active learning in groups of four to ten students, where they can learn to be physically, socially and psychologically independent; and

WHEREAS, conductive education was developed in the 1940s by a neurologist, Dr. Andrew (sic) Peto, in Budapest, Hungary. The theory behind CE is that despite damage to the central nervous system, the brain can create and find new pathways to send messages to the muscles; and

WHEREAS, Steps to Independence began in 1998 as an organization of parents and professionals offering summer and school-year programs for children ages 2 to 21. The program is a non-profit project of the Tides Center and a member of the Inter-American Conductive Education Association; and

WHEREAS, this year, Conductive Education Awareness Day will be recognized on February 21st, 2013. In honor of this celebration, Steps to Independence will be hosting an Open House at its STI Center in Robinson, in order to make the community and surrounding area aware of the opportunities available for children and individuals to gain confidence, self esteem and mobility, with a brighter future; and

WHEREAS, Allegheny County is fortunate to have Steps for Independence in our community. And for all it has done to improve the lives of children with cerebral palsy and other mobility disorders.

NOW, THEREFORE, BE IT RESOLVED, that I, Allegheny County Executive Rich Fitzgerald, join with

Councilman Finnerty to hereby proclaim February 21st, 2013 as Conductive Education Awareness Day in Allegheny County.

IN WITNESS THEREOF, I have hereto set my hand and caused the seal of the County of Allegheny to be affixed this 21st day of February, 2013. And it's signed by Rich Fitzgerald. Do you want to come forward, Cristina?

MS. WYSOL: Thanks very much to Allegheny County Council, for which we can thank Mr. Finnerty for this beautiful proclamation. We are very grateful and honored to be here and to have this proclamation. Conductive education is widely accepted and used over the world. More than 50 conductive-ed centers will be celebrating Conductive Education National Day on February 21st in North America. Our center operates in Robinson Township, and we are a non-profit organization, and we provide summer camps and year-round programs for more than 15 years.

We serve more than 100 children with cerebral palsy and motor disorders. Conductive education is an educational model. The key word is learning and independence. These children --- I just want to introduce Zachary, who was able to make it --- just by the late time, working very, very hard to learn functional skills, such as walking, rolling over, crawling, sitting or even just eating. The goal, the final goal, is to learn new skills and put them in a daily routine, so they can be as independent as they can be.

Today I have some members from the Board and some members from the school. I would like to introduce Zachary, of course, and his father, Brian, and Zachary's sister, Elly.

(Applause.)

MS. WYSOL: I have another student's mom here, Kelly. Dad, unfortunately, couldn't make it this night to be with us. We also have Jen Weinrich (phonetic). She's the financial director at Steps to Independence. We have Board member Justin. He's the father, of course, for Henry, who has cerebral palsy, and also participates in the program. And we have Sherry Means (phonetic) from the Board and they all came to celebrate this very beautiful morning. Please come visit us on February 21st, 10:30 to 1:00. We have an Open House. You can see these kids in action, and they do a wonderful, wonderful job. Thank you very much, again.

(Applause.)

AUDIENCE MEMBER: I just have a comment. I'm the parent of a child with special needs, such as Zachary. I'd just like to thank the Council for this proclamation to help recognize them in spreading the word of Steps to Independence and conductive education. When we --- my family was very fortunate because we knew someone at early intervention that was able to --- knew about Steps to Independence, and we got the certification. And the single most contributing factor to my son's development over the last couple years has been --- I can honestly say has been Steps to Independence and conductive education. So again, I'd like to just thank the Council for help spreading the word about conductive education. And hopefully, many other kids out there with similar disabilities, I'm sure it may help them, and I appreciate that. Thank you.

(Applause.)

AUDIENCE MEMBER: I just wanted to apologize for running in here late, so --- and to thank you for this proclamation today. To be honest, we had a long day. We were at City Council with all the kids this morning, and my little guy, Bennett, was supposed to be here tonight. But to put it more --- he had a seizure this afternoon, which is things that we all deal with. So Christina knew; I texted her and said I can't --- you know, Bennett is not going to be able to make it but I'm coming. So my apologies for that. He's at home right now with his dad. But conductive education --- for those of you who have never seen it, I would just say, please come to the school to our Open House this Thursday, if you have the chance or the availability.

It's stepsto independence.org online. It is also on Facebook. It has been the changing factor in my son's life --- and I'll tear up. But it has just been a changing factor in my son's life as we work to prayerfully some day allow him to sit up on his own and some day to be able to walk on his own. So as I said earlier today, these are not just life skills that we're learning at this school, these are living skills. And as parents, you know, we love these children with all their disabilities, and it's not a battle. They're not confined to wheelchairs. It's nothing like that. It's pure joy, but

it is a daily task. And there is so much that goes into learning about our kids.

And we learn every day as parents the challenges that they face. But these kids are such hard workers and they try so hard to do things that you or I simply take for granted, because we'll all get up out here, for the most part, and walk out of this room tonight. These kids can't do that. They have to learn to do that. And Christina is our angel at the school who has the patience, the nurturing and the love that's going to get our children where they need to be. So we would welcome you with open arms to come on Thursday, if you have a chance, to see what's going on. And if you know a parent who has a child with motor disabilities, with neurological disabilities, please, please, please tell them about this, because it has just meant the world to all of us. So thank you, again, for this proclamation tonight and this opportunity.

(Applause.)

MS. WYSOL: We had a new person come in. Audrey Connelly (phonetic) and her son, Pierce Connelly. Pierce is my old, old friend. He is in the program for more than three years. And Audrey is working really hard to get everything for Pierce. But Audrey, would you like to say a few words, please?

MS. CONNELLY: This is Pierce (indicating). He's been doing conductive education since he was about 18 months old. And I just can't begin to start to tell you people how conductive education has changed his life. He was never able to sit up. He learned to sit up. He now walks pretty well within a walker, and hopefully, soon we'll get him crutches and ---. And he's just becoming more aware of life, in general. That's what it does. It just opens your child's world up. And again, I can't imagine Pittsburgh without our conductive education center. The children that you see here today are the fortunate children. You know, you see a few faces here today, but besides that, there's plenty, plenty more children that are in Allegheny County and in surrounding counties that could really use this service.

And we're a small non-profit, and we're looking for funding always, funding to expand our program. So if anybody knows of anybody that would like to support us, just look us up. It's stepstoindpendence.org.

(Pictures taken.)

(Applause.)

MR. FINNERTY: The Open House is Thursday, the 21st, and it's from 10:30 a.m. to 1:30 p.m. I'm trying to find the address --- is that it 300 Cedar Ridge Drive, Suite 311, and it's Pittsburgh, PA, 15205?

PRESIDENT MARTONI: 7427-13.

MR. CATANESE: Let the record show that Councilwoman Heidelbaugh is present. Proclamation honoring the Pittsburgh Metro-Great Rivers Affiliate of the American Heart Association for its efforts to raise awareness in our region of heart disease and naming the month of February as American Heart Association Month in Allegheny County. Sponsored by Council member Martoni, Burn, Danko, DeFazio, Drozd, Ellenbogen, Finnerty, Futules, Green Hawkins, Heidelbaugh, Macey, Palmiere, Rea and Robinson.

PRESIDENT MARTONI: Let's see. Who's here from there? We have an Allegheny County proclamation. I'm going to have Mr. Robinson read that.

MR. ROBINSON: Thank you, President Martoni. And certainly, I want to congratulate those here representing this very fine organization. And of course, all of us know the devastation of heart disease.

WHEREAS, while progress has been significant in reducing deaths from heart disease, it remains the number one killer of both women and men; and

WHEREAS, cardiovascular diseases are the nation's leading cause of death and costliest disease, with direct and indirect costs estimated to be at \$312.6 billion per year; and

WHEREAS, the American Heart Association's 2020 impact goal seeks to improve the cardiovascular health of all Americans by 20 percent or reducing deaths from cardiovascular disease and stroke by 20 percent, through research, population and community levels and prevention, public health and policy measures; and

WHEREAS, efforts of the American Heart Association encourage citizens to help save lives by calling 9-1-1 if symptoms occur, get trained in CPR and encourage comprehensive automated external defibrillator programs in their communities; and

WHEREAS, in this observance of American Heart Month we pay tribute to the researchers, physicians, health and public education professionals and volunteers,

for their tireless efforts in preventing, treating and researching heart disease.

NOW, THEREFORE, BE IT RESOLVED, that Allegheny County Council, on behalf of the citizens of Allegheny County, does hereby proclaim the month of February as American Heart Month in Allegheny County. We commend the Pittsburgh Metro-Great Rivers Affiliate of the American Heart Association for promoting education awareness by encouraging citizens to learn and warning signs of heart attack and stroke, and enforce efforts to fight cardiovascular diseases throughout southwestern Pennsylvania. All members of Council join Dr. Martoni and myself in wishing you well in your efforts in knowing that it takes more than just one month of observance to get us to recognize the dangers of cardiovascular disease, but also to work with those who try to prevent it.

When you're told that something is the number one killer, then you need to pay attention. This is the number one killer of Americans, no matter who they are. It kills us quick and silently. And unfortunately, all of us probably know someone who has been affected. You probably know someone who just dropped dead one day from heart disease; just a little friendly reminder that this is serious business. We have some good folks with us today who are going to say some kind words and certainly try to stimulate our thinking and encourage us to do more positive things in our own personal lives and the lives of our family to prevent heart disease from being number one.

MR. SHAW: My name is Richard Shaw. I'm the Board Chair of the American Heart Association here in Pittsburgh. And with me today is Sherri Stitt, who's the Executive Director of the American Heart Association here in Pittsburgh. I don't think I can say anything that would encourage people to take care of their hearts more effective than what you've just said. As has been mentioned several times, heart disease is the number one killer in the United States; the number one killer in the United States. The mission of the American Heart Association drives everything that we do here.

Our programs, our educational resources and our advocacy initiatives are all targeted at helping people to identify and to adopt healthier behaviors and healthier lifestyles. In addition, our fundraising goes in part toward funding research. Much of the research is done here in Pittsburgh. A lot of the money that we raise here

in Pittsburgh comes back to Pittsburgh, to the University of Pittsburgh's UPMC and other healthcare institutions in the city where that research is done. We're working towards not only reducing deaths due to heart disease and stroke, but also to improving the cardiovascular health of our community and of our nation. You and your families can evaluate and assess your cardiovascular health and to receive a lot more information about heart health by visiting www.heart.org. On behalf of the American Heart Association, we want to thank you for this proclamation and acknowledgment that you've given to us. And your support is greatly appreciated. Thank you very much.

(Applause.)

(Pictures taken.)

PRESIDENT MARTONI: 7428-13.

MR. CATANESE: Proclamation declaring February 15, 2013 as Ladies Hospital Aid Society (LHAS) True Love Day and recognizing the month of February as Teen Dating Violence Awareness and Prevention Month in Allegheny County. Sponsored by Council members Martoni, Danko, DeFazio, Drozd, Ellenbogen, Finnerty, Futules, Green Hawkins, Heidelbaugh, Macey, Palmiere, Rea and Robinson.

PRESIDENT MARTONI: Thank you. Okay. The proclamation reads as such.

WHEREAS, according to the United States Center for Disease Control and Prevention, one in three teens in the United States is a victim of physical, emotional or verbal abuse from a dating partner, a figure that far exceeds the rates of other types of youth violence; and

WHEREAS, young people can choose better relationships when they understand that healthy relationships are based on respect, and learn to identify early warning signs of an abusive relationship; and

WHEREAS, since the year 1990, the Ladies Hospital Aid Society has contributed over \$150,000 to preventing domestic violence and abuse, and its Teen Dating Violence Awareness and Prevention Program raises awareness of the prevalence of teen dating violence, educates teens about the warning signs of violent dating behavior and provides valuable resources; and

WHEREAS, as a result of partnerships developed in February in the year 2012 with the Demi Brae Cuccia Awareness Organization, the LHAS has visited 25 schools, reached over 20,000 students and faculty, and distributed

over 12,000 tee shirts with the LHAS brand and logo, Kiss, Hug, Shove Does Not Equal True Love.

NOW, THEREFORE, BE IT RESOLVED, that the Allegheny County Council does hereby declare February 15th in the year 2013 as Ladies Hospital Aid Society True Love Day, and we recognize the month of February as Teen Dating Violence Awareness and Prevention Month in Allegheny County. We call upon all citizens to support efforts in their communities and schools and in their own families, to empower young people to develop healthy relationships throughout their lives. Thank you.

MS. ENOS: Good evening. I'm Jodi Amos, and I am the Co-chair of the Teen Dating Violence Awareness and Prevention Program at the LHAS. And along with my co-chair, Carrie Conboy, myself and the entire Ladies Hospital Aid Society, we want to thank you for this important proclamation. This is something that the Ladies Hospital Aid decided to do just over a year ago, and we partnered with the Demi Brae Cuccia Awareness Organization to bring awareness into the community and to make the community aware of the issues facing teens today.

We partnered with Dr. Gary Cuccia in particular, who I will introduce momentarily, who will talk to you about the tragic loss that he suffered with his own teen daughter. So we're grateful today, and as we've mentioned, we have made great strides in the community visiting schools and presenting to students, making them aware of some of the emotional factors that can be seen in many relationships, primarily in the high school years, even starting as early as the middle school years and then onward into college.

But we're trying to make a difference in bringing awareness to the community and particularly to the kids, in providing an 800 number or our website for them to access, should they identify that type of situation. And so we're grateful today for this proclamation and for your support, and at this time, I would like to introduce Dr. Gary Cuccia.

DR. CUCCIA: Good evening, everybody. First of all, I just want to thank Allegheny Council members for the proclamation. You know, it just shows the need, the importance of raising awareness to such a serious issue. Teen dating violence, it does affect one out of every three teenagers, and that was a statistic that I had no idea was even possible until I lost my daughter Demi

August 15th of 2007. She died one day after celebrating her 16th birthday, and she was actually murdered by an ex-boyfriend, who was a good friend of my son. So as my family, we didn't see this was possible. You know, I'm determined to make a difference to try and educate as many teens and youth in Pennsylvania as we possibly can. To date, I believe I spoke in over 30 high schools, shared Demi's message with 25,000, 30,000 high school students, in just trying to open their eyes up to such a serious issue that can happen to them. This just isn't a story that you see on television. It does happen to regular families.

And you know, my organization, the Demi Brae Cuccia Awareness Organization, we kind of combined efforts with the Ladies Hospital Aid. We want to make a difference. We want to --- you know, we don't want anybody to lose a child the way I did. It's the most horrific, horrible thing you have to live with. And so we're just really trying to make a difference, and I can tell you, I believe we are. We get a ton of e-mails, a ton of comments from students from schools we visited. We get a lot of youth ambassadors that really want to jump on board and help this cause.

And we are booked solid to the end of the year. We have a different school every week here in Pennsylvania, so we're going to continue to do as much as we possibly can to educate everybody on the importance of this awareness. So anyway, thank you guys very much and God bless you.

(Applause.)

(Pictures taken.)

PRESIDENT MARTONI: The remaining proclamations will be read into the record.

MR. CATANESE: 7429-13. Proclamation recognizing the Community College of Allegheny County's (CCAC) Big Read Project and declaring February 28, 2013 as Big Read Day in Allegheny County. Sponsored by Council members Martoni, Futules, Robinson, Burn, Danko, DeFazio, Drozd, Ellenbogen, Finnerty, Green Hawkins, Macey and Palmiere.

7430-13. Certificate of Achievement awarded to Mr. Ryan Biggins and Mr. Juan Saylor of Boy Scout Troop 905 upon earning the rank of Eagle Scout. Sponsored by Councilman Drozd.

7431-13. Proclamation congratulating Dorothy's Candies of White Oak upon the occasion of its 65th anniversary. Sponsored by Councilman Macey.

7432-13. Proclamation commending the University of Pittsburgh, Department of Physics and Astronomy Professor Sergey Frolov, for receiving a National Science Foundation (NSF) CAREER Award. Sponsored by Councilman Robinson.

PRESIDENT MARTONI: Public Comment on Agenda Items.

MR. CATANESE: We have 17.

PRESIDENT MARTONI: We have 17. The first one, Ursula Zangrilli. If I mispronounced it, forgive me. How did I do; okay?

MS. ZANGRILLI: Pretty good, actually.

PRESIDENT MARTONI: Hey, how about the name and address for the record? I always forget to say that.

MS. ZANGRILLI: Oh, okay. Sure. I'm Ursula Zangrilli. I live at 207 Lytton Avenue, Pittsburgh, PA, 15213. Good evening, Council members. I just want to make three points to you tonight. I'm speaking with regard to the proposal to frack the Allegheny County --- I'm sorry, the Pittsburgh Airport. And I come from the City of Pittsburgh. This is the largest municipality in the county, so we have a voice here.

I asked someone dear to me --- you know, I asked him, what's the role of Allegheny County Council? And he says two primary things. Number one, you guys are as the balance to the County Executive. Now, unfortunately, I haven't seen too much check to the County Executive's power since the so many years I've lived in Pittsburgh. And this decision is a good time to start, because it's the wrong decision. You've heard --- you've heard the reasons why. I'm not going to repeat them here. But now is a good time to check his power and say no.

The second role that you guys have is as the financial guards of the county. You help take care of our financials. The decision to frack is going to cause a lot of damage that's going to have to be paid for and cleaned up. So whatever money you think you're going to get from this is probably just going to go to clean that up. Number three is I'm a customer of the airport. I use it. If you vote to frack, my flight in March will be the last time I will fly at the airport, and you know --- and Cleveland is going to start getting my business, or

somewhere else. To frack at an airport is just the wrong message to send to people because we spent so long --- a lot of time and so much energy to clean up our dirty image. And we're just taking two, you know, steps back, and that's not where we need to be going. There's other options and you've heard those options. So I urge you to vote no to fracking at the airport. Thank you.

PRESIDENT MARTONI: Thank you very much.

(Applause.)

PRESIDENT MARTONI: Thaddeus Popovich. Mr. Popovich? One more time, Mr. Popovich.

AUDIENCE MEMBER: Ted's not here.

PRESIDENT MARTONI: Okay. Thank you. Mel Packer? Mel Packer. Is there a Mel Packer?

MR. PACKER: Mel Packer, 623 Kirtland Street, Pittsburgh, 15208. And again, I've spoken to you before. I'm not sure why I'm here because I'm certain that this is once again part of a pretend democracy, which we all make believe that people matter and the voice is the one percent. That banks and the captains of industry that Fitzgerald called or e-mailed to Katie Klaber have no more sway in decision-making by elected officials than we do. Well, maybe you've been living under a rock the last two or three decades to believe that. Otherwise, you have to know a whole lot better. The dangers of fracking against the why did we get \$500,000,000 out of the royalties, all you have to do is pick up a business page of any newspaper and you realize that that's a total lie.

Futures of gas are bottoming out and investors are telling people to get out now. It ain't working. It ain't going to work for a long time. There's not a lot of royalties coming out of this, but Fitzgerald has sold you on that, so I'm sure that most of you are planning to go along with him. He owes the industry big time, so we're going to go back to an e-mail of Rich Fitzgerald, back in May of 2011, that he wrote to Katie Klaber, the CEO of Marcellus Shale Coalition. Among other things, he said it's critical for my viability in the eyes of the political world to have money in the bank and to have it early, begging them for money, whining for money.

He then goes on to say, I love going to the expensive captains of industry parties in New York but would rather have the captains put their money behind a candidate who will promote the growth of the industry. He's not saying he's a candidate who's looking out for the

citizens of Allegheny County. He said I'm a candidate who's going to promote the growth of the industry. That's what he's there for. And then he went on to say I need money and I need it fast. He goes on to say I love going to your wine and cheese receptions to hear what a great advocate I am for the natural gas industry, et cetera, et cetera, et cetera.

He closes by saying your kind words and atta boys won't win the race. Take some of the money you spend on the receptions and put it into me. I am the --- I will be the Chief Executive. I will set the agenda for all of western Pennsylvania. And I hope you guys realize this before it's too late. The Pittsburgh Post-Gazette then read numerous bloggers on their Voices page. And among those bloggers, one of them said, this e-mail demonstrates almost everything that's wrong and not likely to be read anytime soon in American politics. This shows a passive aggressive sense of entitlement. He puts on excessive self-regard and petulant self pity when he says I need money and I need it fast. He was attempting to make another Jerry Maguire joke, like a teenager who's saying to his girlfriend, honey, I need it bad; I need it really, really bad.

But it's kind of sad, if you even think about that --- being that kind of joke. The hubris of Fitzgerald is embarrassing. And the fact that he's made some --- through over you is also embarrassing for our society. So what we're seeing is the American political system; at its best if you're a bank or at worst if you're a taxpayer. It's depressing; you better believe it. Is it sad; yes, pretty depressing. We'll frack the land and we'll poison the water. We'll destroy our kids' future. Fitzgerald and his owners in the industry will laugh all the way to the bank. You stand in the way --- and you will probably not have the courage to stand up to this blatant power grab by Fitzgerald and the purchase of political process by the gas industry. At least you can demand health studies before we start. That is the least you could do. That's not very hard to do. If you don't, it's a pretty sad day for Allegheny County. Thank you.

PRESIDENT MARTONI: Thank you, sir.

(Applause.)

PRESIDENT MARTONI: Kathryn Hilton? Kathryn Hilton. Kathryn?

MR. CATANESE: Let the record show that Councilman Burn is present.

PRESIDENT MARTONI: Thank you. Kathryn, name and address.

MS. HILTON: Kathryn Hilton, 5212 Coral Street, Pittsburgh, PA, 15224. Since as a taxpayer of Allegheny County I've paid for this time, I'm going to use it in the only way I see fit, and that's to honor every man, woman and child who is being and has been adversely affected by the hydraulic fracturing industry; silicosis, property value plummeting, acute diseases, alienation from fellow Americans, family feuds, contamination of crops and livestock, loss of government support, et cetera. Industry-impacted families and industry workers alike, I'm going to use this last two minutes and ten seconds for moments of silence for those people.

(Moments of silence.)

MS. HILTON: Thank you.

PRESIDENT MARTONI: Thank you, Kathryn.

(Applause.)

PRESIDENT MARTONI: Jennifer Myers? Jennifer Myers. Jennifer Myers.

AUDIENCE MEMBER: Jennifer Myers is a resident of Pittsburgh, PA, ZIP code 15232. She lives in --- she lives in Friendship. Speaking as Jennifer, I have known about the dangers of fracking since Pittsburgh banned it in 2010. And ever since then, I have been filling up five-gallon jugs at Whole Foods Co-op each week with reverse osmosis water. It's the only process available that takes the contaminants from industrial practices like fracking out of the water. We all live downstream from somewhere, and I see what goes into our rivers here. Rachel Carson is rolling over in her grave.

Have you noticed the simple fact that the only people who say that it's safe are people who work in the industry? This is a biased opinion. This is not a neutral stance. These people are being paid a lot of money to believe that this is true. This is the industry regulating itself and we've seen what happens when we allow that. And this is the crux of the problem. The industry cannot and will not regulate itself. I've heard time and time again at the February 7th hearing, which was a shameful example of our democratic system, --- I heard industry people say that they were committed to fracking safely in accordance with the law; the law, the

Pennsylvania law? The government run by Tom Corbett stands to receive millions more from this deal. He's already raked in \$1,634,096 from the industry. That figure is certainly too low as it is from 2010, and the natural gas industry gave \$7,175,234 to Pennsylvania candidates and political action committees in 2010, puts the common cause on CCPA now, \$3,442,212, which is donated to elected officials currently in office. What we have here is a state that has been bought and sold to the highest bidder. And the people of Pennsylvania, citizens of this fair state --- it's their lives that you are bidding on, their health.

The fact of the matter is that there's no safe way to frack, none. No scientific reports have come out to prove me wrong. There is no --- absolutely no evidence to support you can fracture shale and remove natural gas in a way that it's done safely. So you must leave here tonight with at least this much better understanding. You must understand that if you are allowed at the airport on those 500 acres that are the people's acres, that this is the people of Allegheny County's land and that fracking is not safe. And your doctor will not be allowed to investigate this disease because she won't know the chemicals being used by the industry, or she may have a gag order placed on her.

Thankfully, you will not go unnoticed. Your name will be dutifully added to the List of the Harmed, a List of the Harmed which is 800 and growing. That will be a terrible day, and I wish it on no one. But just to be clear, that day is coming if we continue to frack our land in this ungodly and devastating way. Think long and hard about your decision. Look over again the List of the Harmed. Think about someone you love giving up their life for this, perhaps even you. Is the money really worth it? Thank you.

(Applause.)

PRESIDENT MARTONI: Sarah Scholl? Sarah Scholl. Sarah, are you here?

AUDIENCE MEMBER: I'll be reading for Sarah.

PRESIDENT MARTONI: Wait a second. You just spoke, young lady.

AUDIENCE MEMBER: I'm speaking in her stead. I have her permission and her statement, her ---.

MR. FINNERTY: Excuse me. I have something to say in regard to this.

PRESIDENT MARTONI: Please do.

MR. FINNERTY: This is completely irregular. I don't know why she was able to speak. Somebody could sign up ten people and come here and speak for them. That's why we have rules. And the rules say if you want to speak, you have to appear, not just sign your name and send somebody to speak for you.

PRESIDENT MARTONI: You are correct. I can't argue with that.

MR. FINNERTY: I mean, this is totally irregular to let this happen.

PRESIDENT MARTONI: No, we're not letting it happen. We're sorry, you already spoke.

AUDIENCE MEMBER: My name is Sarah Scholl.

PRESIDENT MARTONI: We're sorry. You already spoke.

AUDIENCE MEMBER: I live at Overlook Drive.

PRESIDENT MARTONI: Jack Shea?

AUDIENCE MEMBER: I have also spoken to the seven of you who felt it important enough to ---.

(Gavel strikes.)

MR. FINNERTY: It's time to go.

PRESIDENT MARTONI: Jack Shea? Mr. Jack Shea.

MR. SHEA: Good evening. Jack Shea, 401 Wood Street, Pittsburgh, 15222. As most of you know, I'm the President of the Allegheny County Labor Council, which represents all labor in Allegheny County. I was not able --- I was not able to make your session last week. I was at a meeting and I sent a letter, so I'm just going to paraphrase that letter.

We're in support of this piece of legislation and for drilling at the airport. It's going to create jobs. This is not new. Back when --- even before my time, when the steel industry come in, it was a dangerous industry. But we didn't wait until all the problems were resolved. We got into that industry, we helped resolve the problems. We did our safety committees and whatever it took. And that industry became as safe as it could.

There's another industry that you're all well aware of, the mining industry. Couldn't be nothing any more dangerous than the mining industry. We didn't wait until all the problems were resolved and then say, okay, now let's grab those jobs. No, we got in early, often and we worked and made sure they were as safe as they could be. And that's the way I look at this industry and this

leasing of the property at the airport. We have an opportunity here. Every one of us in this room has been marching up and down the street, marching for jobs. There's an abundance of jobs in this industry, and we have to make sure that we recognize that. And I would hope that we could have your support on County Council to support this. And let's move this county forward and let's never say no to jobs. Thank you.

PRESIDENT MARTONI: Thank you, Mr. Shea.

(Applause.)

PRESIDENT MARTONI: Loretta Weir? Loretta Weir. One more time, Loretta Weir.

MS. WEIR: I'm here.

PRESIDENT MARTONI: Okay, Loretta.

MS. WEIR: Hi. Loretta Weir, 4544 Homeridge Drive, Munhall, Pennsylvania. It's up in the 31st Ward of the City of Pittsburgh, 15120. I didn't bother preparing anything real intellectual or any factual stuff about fracking, because quite honestly, it would be a waste of my time, and I'm exhausted with doing so for this Council. The information is out there. It's been presented; the homework has been done for you. But apparently, people just don't want to read. Reading is fundamental.

So we go to the airport public hearing. That was a joke, okay? It wasn't a public hearing. We were there to hear what Fitzgerald already put in place. All right? Does anyone here --- and I'm sure you all know what quid pro quo is. Do we know what that is? I'll scratch your back, you scratch mine; favor for a favor. Well, I'll be damned. If that's not what's in that e-mail, I don't know what is. We accept this as politics as usual. This is un-American, it's un-Democratic.

What we got at the hearing in Moon was a disgrace. It was a joke. We're all much more intelligent than that. And I hope you're not, because if you are that intelligent and you're doing this deliberately, there will be hell to pay, because everything you do matters. What we do to one another matters. Why don't you tell those little children, Rich Fitzgerald stands around going, oh, look what we're doing for the little children with disabilities. But you can frack in the back of that little rehab center, and we'll give you lots of money; the hell with your air quality and the hell with your water quality. One of these gentlemen --- of course, who were going to benefit --- God knows, ignorance is bliss. But

he makes a remark after the meeting on the 14th, oh, take us back to the 1800s. We never left the 1800s. Are you kidding me? We can't even dream a better way. We're still stuck on --- you know what? When that river was black, I swam in that river. All my family died of cancer. But you know what? We trust these guys. It's so unintelligent, it's embarrassing. What was done to Mr. Drozd at that last meeting was a disgrace. There was no respect for him. He was mistreated by the rest of the Council only because he suggested that it was a good idea to have an environmental health impact study.

People got their panties twisted over that. How dare you. How dare you people come here and ask us for a health impact study or an environmental impact study. You can't put in a Wal-Mart without one. I want to know what the hell's going on. I can read the paper. I can see Rich Fitzgerald. I know what's going on. You people can fall on your sword. I thank God I don't owe anybody a job. I don't have to kiss anybody's rear end. And I don't have to be afraid to look at them and use my intelligence, my critical thinking skills, and say what I believe. But this is going to affect everyone in Allegheny County, and it's a shame.

PRESIDENT MARTONI: Thank you.

(Applause.)

PRESIDENT MARTONI: Kenneth Weir? Kenneth Weir. Kenneth, come on.

MR. WEIR: My name is Kenneth Weir. I live at 4544 Homeridge Drive, and that is in the City of Pittsburgh, 31st Ward, and I have been a resident there my whole life. I've also been ---.

MS. GREEN HAWKINS: Because I understand that this is a public comment period, I'd just like to see the speaker's face.

MR. WEIR: I know. I'm going to take it off. It's part of my talk. The reason that I have the mask on is I want you to think of an illusion that --- who is talking to you right now. Okay? Now, everybody got that picture in their head?

PRESIDENT MARTONI: We have the picture.

MR. WEIR: All right. You got the picture. Everybody knows me. They've seen me before. I have some observations that I want to make; one of them, money, money, money. Who's making the money? Councilman Robinson said where's the \$50,000,000? He brought up a

great point. It's not going to be on the citizens of this county. We're not going to have it. Has anybody ever seen the study done by Harvard, by a professor named Trafton Drew? He did a cross section of a diseased lung. Okay? And he took it to all --- 100 radiologists. And he asked the radiologists to look at that and picture --- tell them where the nodes were, okay, that were cancerous. But up in the right-hand corner of that picture was a little gorilla in that picture of the lungs.

Eighty-three (83) percent of the radiologists never saw that gorilla, okay, and the reason was, they were told to look for the nodules. And I believe that's what we have here. We have been told that we need to look at the money, money, money. And I think we've all fallen into that illusion that we're not looking at the gorilla in the room. The gorilla in the room is those six seats on --- by right there. They're the ones that are going to benefit more than anybody. And I also have some observations that I made quickly. Mr. Futules, when you said in the county and work community you knew a lot of people with cancer, and so did I.

I've had quite a few family members have died from cancer, and I don't accept that as status quo. I'm sorry. I watched my mother die, and it wasn't nice. Ms. Danko, you asked for a reason, what the hurry was. And they were --- you were told that the gas prices were low in 2008, and that's why the industry did not want the rent to go to our airport. But the fact remains, an mcf in 2008 was selling for \$13.89, and no one even pulled out a smart phone and looked it up. Okay? Mr. Finnerty, due diligence is part of your job. You don't allow the DEP, you don't allow the county, to do your job. Mr. Drozd, you're a better man than me, because I would never let a man talk to me the way you've been talked and disrespected by this Council.

Mr. Robinson, thank you for the \$50,000,000 that we'll never see. And Ms. Green Hawkins, I've lived in Homestead my whole life. I want to know when the first unemployment --- the employment office for CONSOL Energy shows up in Homestead and gives those people their jobs? I want you to be there when that day comes. Thank you.

PRESIDENT MARTONI: Thank you, Mr. Weir.

(Applause.)

PRESIDENT MARTONI: Anita Barkin? Anita Barkin.

MS. BARKIN: Good evening. Anita Barkin, 109 Stevens Ridge Drive, in Jefferson Hills. Our legacy, sir, the progress of the steel industry and the coal mining industry is tied to the reason why we have --- we have the highest rate of cancer in the country. In addition, we have the highest rate of asthma among our children and adults in the country. And that, sir, is not because of lack of progress. That's because of the refusal of corporations to spend the extra money to utilize the technologies to mitigate the problems with our air and water.

You see, sir, and ma'am, I know that you know the corporations are in business to make money. I've had conversations with Marcellus Shale coalition representatives, and they've openly admitted that to me when I asked them why you aren't using technology to mitigate air pollution and mitigate the use of --- mitigate the use of the heavy chemicals that they're using in the water. Do you know what the answer was? Well, you know, Anita, it costs a lot of money to do that, and after all, we're in the business to make money.

I recognize that and I understand that corporations need to make money. It's what drives our economy; right? Right. But that's the --- that's why we have government and we have government regulations, so folks like you can ask the hard questions of heavy industry when they move into a community and ensure that the health and safety of the residents are --- are protected. I'm disappointed that you have refused to request that CONSOL Energy do the due diligence that you should expect and conduct an environmental impact study and look at the health and safety issue involved in fracking, so that they can provide you with answers to the questions that have been raised by residents of this --- of Allegheny County, so that they can provide you with a plan for mitigation in the event that those untoward events occur, and so that you have a plan in your hands for understanding what the emergency response may be when something goes awry.

I would suggest to you, you are not prepared to vote on this proposal tonight because you have not done due diligence. There is no transparency in this process. And by the way, if you are sincere about not drilling at Allegheny County Airport because it's located in a densely populated area, I would suggest that you prove your mettle

by removing the Allegheny County Airport property from the proposal site. Thank you.

PRESIDENT MARTONI: Thank you.

(Applause.)

PRESIDENT MARTONI: Mr. Doug Shields? Doug?

MR. SHIELDS: My name is Douglas Shields. I reside at 2329 Tilbury Avenue in the City of Pittsburgh, 15217. I am no stranger to the seats you sit in. I was a legislator for eight years on Pittsburgh City Council. I worked there for 20 years. I have never, in all my days there, saw a process that was not transparent, where citizens had no repartee for our --- repartee with our elected representatives. I have sent all five e-mails asking direct questions. You have not responded to one.

When I worked in City Council, we made it a point to respond to every e-mail or letter or communication that came into that office. The same was true when I worked with Councilman O'Connor for 12 years. Whether you liked what was being said to you, whether you liked --- what you don't like, if you didn't like it, is irrelevant. Your obligation is as an elected representative for the people in this room and 1.5 million residents in this county. You may be elected by district, but you are responsible for making decisions collectively for all of us; all of us.

Not one word in return. I spoke to a couple of County Council members. I will admit, Heather Heidelbaugh --- yes, thank you very much --- but we didn't really get into the meat and potatoes of the issue. There was recognition, and I appreciate your acknowledgment. But we came to you with questions; you came back to us with silence. Mr. Finnerty, you took exception to someone's taking this podium and saying something. I take exception that you have not responded to one of my e-mails, one of my questions, nor the questionnaire that was presented to you, nor have any of you pointed to one single authoritative source that gives you confidence that this thing can be done safely, wisely and with minimal risk.

We have no due diligence. We have no environmental impact study. We have no health risk assessment. We have no air, water quality resource impact studies, planning and land use studies. We have no risk analysis, neither does the airport, and that testimony is provided to you by an expert from US Air who was in charge of their safety ops for seven years. And a pilot, I

think, told you all that this is a risky business, to mix two inherently risky operations, flight and drilling. And you're inviting a disaster. You have not responded to any of them. You have cloaked us in a wall of silence, you say nothing and you have abused your office by not having an open and transparent process. Some of you may disagree with me, some of you may not, but in any event, I have nothing before me to consider as a citizen to deal with my property that we have given to you in trust to manage. You have not done so.

Carnegie Mellon University has initiated the Scientist Institute. Researchers across Carnegie Mellon University have stated that there are --- there are policy issues and gaps, and it's clear that we need to respond to them as a society and they invite you to start attending or participating in that. We don't have a policy gap here, we have a democracy gap here, and we have a very unresponsive ---. My councilwoman hasn't taken the time to respond to not one e-mail that I sent, not one. And whether you like me or not is irrelevant to me. This is a matter of policy. You have not responded, and how can you vote this today without us being involved? Thank you.

PRESIDENT MARTONI: Thank you, Mr. Shields.

(Applause.)

PRESIDENT MARTONI: Briget Shields? Briget Shields.

MS. SHIELDS: Hello. Briget Shields, 2329 Tilbury Avenue, Pittsburgh, PA. Why did I take off work again to get here tonight? To exercise my First Amendment right in a room where I feel democracy is dying. And how appropriate was it tonight to see these children with special needs when this process, hydraulic fracturing, has been proven to be an endocrine disrupter. It has been proven that the chemicals used in this process are carcinogenic and cause cancer. It has been proven that people living in drilling areas have a higher rate of heart disease, cancer, asthma and a whole other thing (sic) of things we don't even know because it hasn't been studied enough.

If you don't believe me, take a trip down to Washington County and visit the Southwestern Environmental Health Program, where they are doing nothing but taking care of people who live in drilling areas; because guess what, nobody else is. Our government has let us down. The e-mail everybody is talking about in here, my name was

mentioned in that e-mail. Mr. Fitzgerald said that Briget Shields is going around telling the anti-frackers that Mr. Flaherty is anti-fracking --- was a direct lie. I called him. I asked him to retract that. I don't even know Mr. Flaherty. He has never to this day looked me in the eye, nor has he apologized. So it's up to you to learn about this process. We spent our own time and money putting together this book, which we hand delivered to every council member here, only to find at the last so-called public hearing, which was a joke --- that none of you have even looked at it.

So this is an insult to the taxpayers of this county. It's an insult to the American way. We have less rights than the corporations, and that is proven today by the fact that money, money, money is being talked about. When a 26 piece (sic) of road like the Mon Valley Expressway can get health risk studies, environmental impact studies, years of public comment, and this industrial process, which has been proven to be dangerous, we --- this is all we get. This is a breakdown in our democracy, people, and I am very disappointed. I have taught my children to be active. And when they tell me, mom, it's a bunch of crap, I'm starting to believe them. Thank you.

(Applause.)

PRESIDENT MARTONI: Bill Flanagan?

MR. FLANAGAN: Bill Flanagan, 30 Holland Road, Churchill, 15235. I am here tonight in my capacity as Executive Vice President of the Greater Pittsburgh Chamber of Commerce to express the support of the chamber for the passage of County Ordinance 7387-13 that will enable the Airport Authority to move forward and lease the mineral rights and permit drilling on the property at the airport. Shale gas is part of a very broad energy sector in southwestern Pennsylvania which has had an extremely positive impact on the economy, especially in recent years.

The energy industry generates \$19,000,000,000 a year in gross regional product, representing 16 percent of our regional economy. In the ten counties in southwestern Pennsylvania, more than 800 energy-related firms are supporting 150,000 direct and indirect jobs. Overall, our region, in large part because of the energy, has fared better through the most recent recession. But we do have issues here that we must address to maintain and increase

our competitiveness in the days of global economy. The proceeds for the airport's shale drilling can help in two ways. First, we can improve the competitiveness of our airport, including improvements to its facilities. And by more quickly paying down the airport debt, we can decrease the per-passenger landing fees and make the airport a more attractive cost effective destination for the airlines. Decreasing the landing fees is a critical step in retaining the service which we currently have and to attracting expanded service and service to new markets.

Good progress has actually been made in paying down the debt, and that effort must stay on schedule. Proceeds from the mineral rights and ultimately from drilling provide the resources to keep the program on track. As we've learned over the attraction of retention of the non-stop direct flight to Paris, we can be successful through public/private efforts, document our market and pursue those airlines that have the capacity to serve Pittsburgh. Secondly, we need to increase our inventory of pad-ready sites. Over the past decade, public/private efforts successfully prepared 2,000 acres of pad-ready sites in the airport market area.

Those sites have been marketed quite successfully, so successfully, in fact, that we're now facing a renewed shortage of business sites ready for companies wanting to expand or locate here. As you know, it's difficult. A lack of infrastructure in this region has added some special challenges in preparing sites. It takes additional public intervention to assist in preparing sites, so that private sector can move forward in constructing buildings. There's little state or federal funding available these days for efforts like site development, and we need to find additional funds for investments in infrastructure.

This shale gas revenue is already considered for this purpose. Lastly, the shale gas drilling may also give the county the opportunity to re-evaluate the best ways to deploy funding to support these activities and may give the Council or the county greater flexibility to determine how to conduct business in the future. The rights offer a unique opportunity for Allegheny County, and we at the Greater Pittsburgh Chamber certainly support the efforts to tap into this new resource. Thank you very much.

PRESIDENT MARTONI: Thank you. Mandy Kivowitz-Delfaver. And if I messed that name up, forgive me. Mandy, are you here; one more time, Mandy? Okay. That's that. Steve Templeton? I like that. Steve Templeton. Steve, are you here? Steve is not here. Joni Rabinowitz. I see Joni. Okay.

MS. RABINOWITZ: My name is Joni Rabinowitz. I live at 7721 Edgerton Avenue, Pittsburgh, 15221. Tonight we're going to talk about something we haven't talked about very much. Since you love CONSOL so much, and everybody here has told me how much you trust them, I'm going to talk about just a few violations by CONSOL. Although CONSOL only recently got into gas drilling in the past few years, its history of pollution and accidents in coal mining is nothing to be proud of. CONSOL has paid \$28,428,489 in coal mining fines since --- between 2000 --- 2000 and 2009. 20,899 violations and 23 deaths have taken place in CONSOL mines since 2000, tying its fatality rate with that of Massive Energy --- Massey Energy.

How about Dunkard Creek? You remember that, a small mile --- 35-mile creek running through West Virginia and southwest Pennsylvania, 65,000 fish were estimated to have died, 14 species of fresh water mussel, countless salamanders and insects. The cause was golden algae, caused by salty water, 10 to 20 times more salty than sea water. Those of you who are into fishing and hunting, I'm sure you remember this. Whether this tragedy was due to acid mine drainage from CONSOL or mine drainage combined with recently started Marcellus drilling, CONSOL paid \$5.5 million in civil penalties and agreed to construct a groundwater treatment plant by May of this year.

For the company to tell you they will use/reuse all the water and chemicals, that is the height of hypocrisy. Nobody believes this. I don't know how many companies CONSOL has a contract with metropolitan airport projects, but drivers from Allan Waste Water Service, which was hauling acid mine waste water to Dunkard --- from Dunkard, said that they had been dumping waste into Dunkard Creek for decades; for decades. In response to suits on March 14, 2011, CONSOL Energy announced it will spend \$22 hundred million (sic) on a treatment system for wastewater from three West Virginia coal mines.

I could go on, but I'm just going to talk briefly about one of the deaths that have been caused by

this industry. This is an article by Nancy Bevins, whose son, C.J. Bevins, was murdered on a well site by --- by the conditions on the site. They were hurriedly erecting a drill site, and the site was hazardous. Vehicles were sinking into the mud thigh high and waist deep. Bottom line, Charles Bevins was pinned and crushed between an industrial-sized forklift and a building, when the weight of the forklift on unstable ground gave way. The last statement his mother made was, every night when I go to bed, my thoughts are haunted with what his last thoughts must have been, how scared he was, my only son, my pain.

PRESIDENT MARTONI: Thank you.

(Applause.)

PRESIDENT MARTONI: Terry Suppowitz? Terry Suppowitz.

MS. SUPPOWITZ: Yes.

PRESIDENT MARTONI: Terry, you're next.

MS. SUPPOWITZ: Yes, yes, yes. I'm Terry Suppowitz. I live at --- I live, breathe and garden at 310 Hay Street, 15221. So my big question is, what's the hurry? Gas isn't going anywhere, CONSOL probably isn't going anywhere. What's the hurry? The hurry is money; money, money, money, dollars, dollars, dollars, and that's what everybody's been talking about. There are going to be a few people who are really going to benefit, not most of --- well, certainly, not me and not any of the people that have spoken. We're not going to benefit. Allegheny County isn't going to benefit. The airport will get some money.

So I'm talking about money. Rich Fitzgerald got \$99,200 from the gas company. The gas company --- the gas industry has given more than \$23,000,000 to influence Pennsylvania elected officials. So if the folks who are against it have that much money, would you be on our side? After listening to the Council at the meeting last week, it doesn't look like anyone has really done their homework. I can't imagine doing this without really, really doing the work that needs to be done; no due diligence, no impact studies. It seems like you've been getting the information that you do have from CONSOL or the Airport Authority.

Both are invested in your saying yes.

Therefore, neither is going to tell you the truth; what could go wrong, what the problems are, what the down side is. According to them, all is good. I'm here to say, not

all is good. Fracking is inherently dangerous. I was at the Public Works meeting on Thursday, and my jaw dropped when no due diligence or impact studies would be done until the lease was signed. You sign a lease before you know any of the problems? Common sense tells me it's backwards. You find out what the consequences are of what you're doing before you do it. You don't buy a car without knowing, you know, which one you want, what's good about the one you want, what's bad about it. You find out before you buy it. The Mon-Fayette Expressway, someone else mentioned it. We spent two years doing impact studies.

The consequences of the expressway were not nearly as detrimental as drilling at the airport. If CONSOL does the impact studies, you are asking the salesperson to say its product has flaws. It won't happen. Let's take two years and do impact studies without signing a contract. I really want to finish this. We listened to one hour and 60 minutes about what was good about drilling. I can spend another minute on this. Okay. So about having impact studies, if you ask me as a taxpayer, I would be happy to pay for impact studies. Okay. Just we all know that once that lease is signed, it won't matter what the health department says or what the environmental impact studies show.

It's a done deal. There will be no --- there will be so much pressure put on those who are saying that something is wrong, that they will be forced to retract their findings.

PRESIDENT MARTONI: Thank you very much. Thank you.

(Applause.)

PRESIDENT MARTONI: Approval of Minutes,
7434-12.

MR. CATANESE: Motion to approve the Minutes of the Regular Meeting of Allegheny County Council held on January 22nd, 2013.

MR. MARTONI: So moved.

PRESIDENT MARTONI: We have a motion.

MR. FINNERTY: Second.

PRESIDENT MARTONI: Second. Question? All in favor?

(All Respond Aye)

PRESIDENT MARTONI: The vote is so ordered.
Presentation of Appointments.

MR. CATANESE: We have none.

PRESIDENT MARTONI: Unfinished Business, Committee on Budget and Finance, Second Reading. Mr. Robinson?

MR. CATANESE: Do you want me to read it first?

PRESIDENT MARTONI: Yes, I do want you to read it.

MR. CATANESE: 7415-13, a resolution of the County of Allegheny amending the 2012 Capital Budget for Allegheny County. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. Robinson?

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

MR. FINNERTY: Second.

PRESIDENT MARTONI: Moved and seconded. Question? Go ahead.

MR. FINNERTY: Could the manager come up, please?

PRESIDENT MARTONI: Will the manager please come up?

MR. FINNERTY: Our budget stated that our capital budget was going to be \$84,89,700. Is this \$1,730,755 going to be in addition to that?

MR. MCKAIN: It is. That's what we're asking, for the budget to be amended to add these new revenues.

MR. FINNERTY: So this is new revenues? How did it come about?

MR. MCKAIN: This is PennDOT Act 13 Funds. This is from the Marcellus Shale for fees collected by the Commonwealth and distributed back to the County. This is our acceptance of that and it's to be used for bridge replacement and repairs.

MR. FINNERTY: Thank you.

PRESIDENT MARTONI: Thank you. Any other questions? Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: 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: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Yes.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. Martoni, President?
PRESIDENT MARTONI: Yes.
MR. CATANESE: Ayes, 14, nays, 0, bill

passes.

PRESIDENT MARTONI: 7416-13.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2013, Submission 2-13. Sponsored by the Chief Executive. We have a motion on the floor. Mr. Robinson, do you want to second the motion?

MR. ROBINSON: Thank you, Mr. President and members of Council. We did have due diligence before this bill was presented here. I move for approval.

MR. MACEY: Second.

PRESIDENT MARTONI: Motion has been seconded. Question? Roll call.

MR. FINNERTY: I have a question. I just want to make a point of this. Our Grants and Special Accounts total \$797 million together. Our Operating Budget is \$799 million. So are we adding to our Grants and Special Accounts \$1,226,625 so that we will have more money in our Grants and Special Accounts? If the manager could answer that, please?

MR. MCKAIN: Similar to the previous question, yes. These are the new revenues above and beyond the budget that was adopted by the Council so there's new revenue. It's new money for a new program.

MR. FINNERTY: Thank you.

PRESIDENT MARTONI: Any other questions? Roll call.

MR. CATANESE: Mr. Burn?
MR. BURN: Yes.
MR. CATANESE: Ms. Danko?
MS. DANKO: 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: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Yes.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. Martoni, President?
PRESIDENT MARTONI: Yes.
MR. CATANESE: Ayes, 14, nays, 0, bill

passes.

PRESIDENT MARTONI: 7385-13.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing an agreement with Adventure Forest LLC t/a Go Ape for the design, construction and management of a Treetop Adventure Course and Zipline Course in North Park to be known as Go Ape North Park, LLC. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Make a motion to approve that?

MR. FUTULES: I'll make a motion to approve.

MR. FINNERTY: I'll second that. I have a question.

MR. FUTULES: Let me speak before his questions start. At the last regular meeting the Go Ape Production at the North Park Trail Park was in question. We had a few questions that were not able to be answered, and one of the questions was about the inspection of the facility. And those questions were answered because it will be state inspected. It will be periodically inspected by the Adventure as well. Insurance questions were answered. And I want to thank the members for coming to the committee meeting and asking those questions and clarifying those meetings of the members. And also, I believe Mr. Drozd had asked about the safety track record. And the history of the Go Ape Production. And it seemed to have been very well vetted out and everything seemed to be okay there at that time. So the committee had recommended that we bring it back to the full Council for consideration and at this time you can ask questions, Mr. Finnerty.

MR. FINNERTY: Yeah. Is the person in charge of this project here?

MR. FUTULES: Yes.

MR. FINNERTY: Could he please come forward with the Park Director, please? Thank you. I'd just like briefly if you would, number one, describe what's going to happen at North Park, if you could.

MR. D'AGOSTINO: My name is Dan D'Agostino. I'm one of the owners. We are a treetop adventure course. What we do is obstacle courses up in the trees. We have obstacles, rope ladders, crossings. We give the public and community about two to three hours of outdoor adventure. To go through the course takes basically two to three hours. It's a great attraction, great experience. It allows you to experience the park and do it in an engrossing way. So it's something that we're very excited about and looking forward to having everyone here in Allegheny County up in the trees.

MR. FINNERTY: I'm a little excited about it myself, but I don't know if I'll do it. But what happens --- what's your safety record? How many of these parks have you built? Have there been some incidents that we should know about?

MR. D'AGOSTINO: We have three in the United States with other park partners in the U.S. We also have 29 courses in the United Kingdom. Since 2002 we've had

3.2 million visitors go through our course safely and we've had no incidents during that time.

PRESIDENT MARTONI: Any other questions?

MR. BURN: I have a question for you. How long will it take you to build ---?

MR. D'AGOSTINO: From a building perspective, it takes about four to six weeks.

MR. BURN: I just want to say that I appreciate Councilman Futules getting me the information. I was the one that was questioning inspection and I'm very satisfied with the state inspection, so guilty or not guilty, I say it's a great idea and I'll be there when Mike does it.

PRESIDENT MARTONI: Any other questions? Jim?

MR. BURN: Thank you, Mr. President. I thank you for your patience. Mr. Chairman, it's my understanding that the reason we took this in for another test drive, so to speak, --- and correct me if I'm wrong, was we had some concerns about the insurance issues and we had some concerns about public safety. We wanted to give it a little more due diligence to make sure we're getting it right; is that correct?

MR. D'AGOSTINO: That's correct.

MR. BURN: Okay. Thank you. That's all I have.

PRESIDENT MARTONI: Anyone else? Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: 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: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Yes.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. Martoni, President?
PRESIDENT MARTONI: Yes.
MR. CATANESE: Ayes, 14, nays, 0, bill

passes.

PRESIDENT MARTONI: Committee on Economic Development and Housing, Second Reading, 7295-12.

MR. CATANESE: A resolution of the County of Allegheny adopting the Shannon Transit Village Tax Increment Financing Plan presented by the Redevelopment Authority of Allegheny County creating the Shannon Transit Village Tax Increment Financing District and making certain findings. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Ms. Green-Hawkins.

MS. GREEN-HAWKINS: Thank you, Mr. President. I move for approval.

MR. FINNERTY: Second.

PRESIDENT MARTONI: Second. Question? Roll call.

MR. CATANESE: Mr. Burn?
MR. BURN: Yes.
MR. CATANESE: Ms. Danko?
MS. DANKO: 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: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: No.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Palmiere?
MR. PALMIERE: Yes.

MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. Martoni, President?
PRESIDENT MARTONI: Yes.
MR. CATANESE: Ayes, 13, nays, 1, bill

passes.

PRESIDENT MARTONI: Committee on Public Works,
Second Reading, 7386-13.

MR. CATANESE: An ordinance of the County of Allegheny granting authority to demolish the County Garage located at 548 Fourth Avenue, Pittsburgh, PA, 15219. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. Macey?

MR. MACEY: Thank you, Mr. President, and members of Council. I move for approval.

MR. FINNERTY: Seconded.

PRESIDENT MARTONI: Moved and seconded.

Question?

MR. BURN: I have a question.

PRESIDENT MARTONI: Go ahead.

MR. BURN: Is the Public Works Director here or engineer or anybody representing them? I wish that the Public Works Director or their engineering chief was here. The question I have is in my familiarity with construction and with that building as a whole, I was wondering would it be cheaper and was it possible to put some I-beams in there and drop that and put a false ---? Because that building is pretty solid and I'm just wondering if tearing it down is the cheapest way.

MR. MCKAIN: We did have a consulting engineer, Barber and Hoffman, do an examination. They looked into things like you mentioned. Their estimate was to do the type of things you suggest structurally would be a half a million dollars, and it would only last two to three years and we would only be able to use about 65 percent of that. So with that information, we thought it was best --- and it was a public safety issue, too.

MR. BURN: It would only last a couple of years?

MR. MCKAIN: Yeah, and not to full capacity.

MR. BURN: That satisfies me. Thank you.

PRESIDENT MARTONI: Any other questions? Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.
MR. CATANESE: Ms. Danko?
MS. DANKO: 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: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Yes.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. Martoni, President?
PRESIDENT MARTONI: Yes.
MR. CATANESE: Ayes, 14, nays, 0, bill

passes.

PRESIDENT MARTONI: 7387-13.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the lease of minerals underlying real property on which the Pittsburgh International Airport is situated to Allegheny County Airport Authority as permitting drilling and other necessary operations to extract oil, gas, natural gas liquids and other minerals underlying the Pittsburgh International Airport. Sponsored by the Chief Executive and Councilman Macey.

PRESIDENT MARTONI: Mr. Macey?

MR. MACEY: Thank you, Mr. President and members of Council. There was a public hearing held at the Sewall Center at the Robert Morris University Thursday, February 7th. Also, there was a public works meeting held on February 14th, and after the meeting there was a

recommendation to affirmatively send it to the full Council for a recommendation to approve. I make that motion.

PRESIDENT MARTINI: Do we have a second?

MR. FINNERTY: Second.

PRESIDENT MARTONI: Okay. Ms. Heidelbaugh.

MS. HEIDELBAUGH: I want to begin by making some remarks in regards to my eventual vote on this matter. There have been a lot of public comments. I attended --- I want everyone to know that I attended a two-hour meeting with the airport and with Mr. Davin. I asked --- I was by myself with these two gentlemen. I asked two hours' worth of questions regarding the placement of the wells, the safety in regard to the aviation, an enormous amount of questions for two hours. In addition, on my own, prior to this ever becoming a reality, I have studied pursuant to my work and as an area of general interest, fracking and the science of fracking. I also attended the public hearing in which I listened intently to every person who spoke. That is my job and my duty and I did it with respect. I've worked with the DEP. I know how tough the DEP is. I've seen the violations that they hand out. And I also read the pamphlet handed to me for the first time at the public hearing. I did not receive it before. I have spoken to Mr. Shields. I have read each and every e-mail that was sent to me.

Now, we may disagree on the science of this and we may disagree on the benefit to the community, but it is not legitimate to say, at least for my vote, as Pete Flaherty said 44 years ago, I'm nobody's boy. I was not pressured to vote in a certain way. I was not told how to vote. I make decisions up here. I represent the people of Allegheny County and nobody tells me how to vote.

Now, in order to be extremely cautious, I am going to have to abstain from this vote. I'm going to tell the people of Allegheny County that I am in favor of fracking and drilling at the airport for the general good of the community, not because of money but because of the overall benefits. I'm going to abstain because my law firm represents CONSOL, and in the abundance of caution I did not want there to be an appearance of impropriety. So I will be abstaining this evening.

PRESIDENT MARTONI: Thank you. Matt, you're next.

MR. DROZD: I have an amendment, if I could put an amendment up, please?

PRESIDENT MARTONI: Yes. Please read the amendment proposed.

MR. DROZD: Are you ready, Mr. Chairman?

PRESIDENT MARTONI: Yes.

MR. DROZD: First and foremost, I want to say when I'm making this amendment that we have a very fine company here sitting in the audience, CONSOL Energy. I want people to know that. What this is is basically --- in Act 13, what it says, --- and by the way, I'd like to address one thing. When people said did you read this. No one asked us if we'd look at it. I dare say there's no one in here that gets information in the mail and reads cover to cover every piece of information we get. This good Council gets, by the pound, information. Did you see Act 13? Did anyone ever look at it? It's by the pound. It's about that thick (indicating). So we do traverse those informations that we do get. Many of us here. I see our good Council people when they look at it. I know they do. This here is what it basically says. In Act 13 it says 500 feet approximately from the residency of a house. I just want a guarantee or warranty that we have at least 1,000 feet. I would dare say that anybody within this room, including my good Council, including myself, would not want a drilling well within less than 1,000 feet of my home. We all want to be able to at least enjoy the comfort of our home and we don't want it right up against our porch. So when we vote for this, I'd ask, with 500 feet, that's a little over a football field. This gives about a three football fields away from the home.

I've also talked, by the way, to some people --- I do do due diligence and you'll see more as I go on with my presentation later in what I say when I vote on this in the final analysis. I did talk to some people that have wells near them. They say they don't hear that much and they don't see that much. Their distance, one is in one front yard and one's going in the back, and they say, really, I don't know after a while that they even exist. So I have talked to people that live in those areas and also have those wells nearby. But I just want to make certain that we have that 1,000 foot clearance. Last night I did go to the meeting, spent three hours there. And you know, I've heard 1,500 feet, I've heard 2,500 feet, I've heard 1,000 feet. But I want an amendment to

1,000 and I'd like to have that for my constituents and I promised them, in essence, I would introduce this amendment. And so be it, I do it here and now.

MR. ROBINSON: Second.

MR. DROZD: Thank you.

PRESIDENT MARTONI: We have a motion to introduce this amendment, and a second. Any questions?

MR. FINNERTY: I just have one remark in regard to this. You know that I have a bill, it's in your committee, that is asking for a 1,000 feet clearance. You also know that that bill asks for 500 for water. You also know that it's still in your committee because it's illegal. It's illegal because of Act 13 and the stipulations that are made by Act 13. We can't go beyond it. Thank you.

PRESIDENT MARTONI: Matt and then John.

MR. DROZD: I did check with legal counsel, both our legal counsel on staff and our legal counsel that is affiliated with our Council, and they both assured me, because it's intrinsic only to the airport ---. If we did this broad side in an ordinance that included the entire county, we could not do this. You're correct, my fellow Councilman, if we did it county wide. This only pertains to the airport.

PRESIDENT MARTONI: John and then Heather.

MR. DEFAZIO: Based on what Matt said earlier, you sound like you're for it, but if you're wrong on this, --- but to make sure, why don't we call up our Solicitor or someone that can explain it.

SOLICITOR: I have to similarly echo Councilman Finnerty's concern. Under Act 13, setbacks, and what they do under Act 13 is they say we are essentially assuming the field of regulation with this activity. And the municipality, because of legislation to override it, it is null. And not only that, the fact of what it can do is place at risk that municipality's ability to receive any funding through Act 13. So I would be very cautious about passing legislation that contradicts the setbacks in Act 13 for both those reasons.

MR. DROZD: You know, you ask three different attorneys and you get three different answers. The attorneys here tonight said it was --- can be done. So I don't know what we're hearing.

SOLICITOR: This is the first I've heard of your amendment.

MR. DROZD: You haven't researched it?

SOLICITOR: I have not, but I can tell you that there are setback requirements set forth in Act 13.

MR. DROZD: So in a court of law, Mr. Solicitor, it could be maybe acceptable and it could not?

SOLICITOR: I can't tell you. As I said, I would be very wary of passing legislation ---.

PRESIDENT MARTONI: Point of order. Mr. DeFazio?

MR. DEFAZIO: I had the floor. Okay. So in other words, we really can't do what his amendment is asking?

SOLICITOR: Yes, that's right. That would not be of legal effect because it's assumed over ---.

MR. DEFAZIO: Thank you. Heather?

MS. HEIDELBAUGH: I have some knowledge of this as well and for what it's worth, I agree with Mr. Seppi (phonetic).

PRESIDENT MARTONI: Jim?

MR. ELLENBOGEN: You said that we would be responsible for regulating ---?

SOLICITOR: Responsible for regulating ---?

MR. ELLENBOGEN: You said if we were to pass this that we're also assuming the responsibility in terms of regulation of it.

SOLICITOR: No. I don't recall saying that, no. The County --- if we pass --- what's on the table tonight for Council's consideration is an ordinance authorizing two things: the leasing of mineral rights to the Airport Authority and the use, meaning developing of mineral, shale and gas resources on that property.

MR. ELLENBOGEN: Let me ask you something. If we would pass this, who's responsible for enforcing it?

SOLICITOR: Well, there's a bunch of --- there's a number of agencies responsible for enforcement.

MR. ELLENBOGEN: Would we be responsible for enforcing it or not?

SOLICITOR: You're not responsible for --- you mean for enforcing the regulation?

MR. ELLENBOGEN: Yes, Councilman's Drozd's ordinance. Are we responsible for regulation and making sure that that's the case or is the state responsible?

SOLICITOR: If you were to pass an ordinance, a County ordinance saying 1,000 feet is the setback?

MR. ELLENBOGEN: Right.

SOLICITOR: Then that would be a County ordinance that the County would be responsible for enforcing. That's right.

MR. ELLENBOGEN: That's what I asked you.

SOLICITOR: Right. Okay. I'm sorry.

MR. ELLENBOGEN: You attorneys give me a headache.

PRESIDENT MARTONI: We have a motion on the floor and a second on Mr. Drozd's amendment. Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: No.

MR. CATANESE: Ms. Danko?

MS. DANKO: No.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: No.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Abstain.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: No.

MR. CATANESE: Mr. Futules?

MR. FUTULES: No.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Nay.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Abstain.

MR. CATANESE: Mr. Macey?

MR. MACEY: No.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: No.

MR. CATANESE: Ms. Rea?

MS. REA: No.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Aye.

MR. CATANESE: Mr. Martoni, President?

PRESIDENT MARTONI: No.

MR. CATANESE: Ayes, 2, nays, 10, 2 abstentions.

PRESIDENT MARTONI: We're going to have a roll call on 7387-12.

MR. DROZD: We haven't had discussion yet, discussion on this. I want to discuss now the bill. I'll defer to anyone else.

PRESIDENT MARTONI: Please do. Who wants to e first here?

MR. ROBINSON: I will.

PRESIDENT MARTONI: Go ahead.

MR. ROBINSON: Thank you, Mr. President, members of Council. Once again I'm going to raise a side issue that has not been raised. And I do this with all due respect to those who believe that this venture is going to produce jobs in this County. No one wants jobs in this County more than I do, but I'm concerned about who's going to get those jobs if they ever materialize. I don't believe that these jobs should be made available to people who are undocumented. I don't care if they're from Bulgaria. If you're not documented, you should not be a participant in what is being purported as being a very fine venture, job producer. As I understand it, there is no agreement, draft or otherwise, that speaks to this issue. And I would hate to see my colleagues not following through with making sure these jobs are available only at good wages and perhaps union wages for people who are well documented. You know what that means.

If you're not a citizen and you're not eligible to work, then you shouldn't be working. I don't care if you're from Turkey or New Zealand or Iceland. So for those who want to support this because you're going to say it's going to produce good jobs, you need to find out who's going to get those jobs because unless this Council takes some action, those jobs are probably going to go to a lot of people who you don't know and you would prefer not get the job. If I am CONSOL Energy Company, I'm scouring the world for people who are working in this industry at a reduced rate. Not union rates, not prevailing rates, but whatever is offered to them if they want to work. I would hate to see Pennsylvanians and people of this County denied the opportunity to work because we believe that this venture is going to create jobs. No guarantees. And I like guarantees. No guarantees for the people of this County, no guarantees for this County.

I ask each and every one of my colleagues to think about it. Why isn't there some provision to address this issue of undocumented people working in this County and specifically, why this issue of jobs is not in any proposed agreement? Once we vote, and if this legislation succeeds, this Council is out of the picture. We have no

further input into the process unless you choose to go into a court of law.

Could I please still have the floor, Mr. President?

PRESIDENT MARTONI: You can have the floor. Mr. Robinson has the floor.

MR. ROBINSON: Thank you. I raise this issue because it's important. It's not going to go away. And I'm going to bring it up again every chance I get, undocumented workers working in our County and getting the sanctions of Council members and the Chief Executive to do so. Everyone is free to vote as they please. I'd just ask that you consider what I'm saying. All of us have had an opportunity to look at a proposed agreement, lots of details that I'm not going to address and this is just one of them. I'm asking you to consider this. Vote however you want, but consider it. Nobody wants jobs in this County more than Councilman Robinson. Thank you, Mr. President, and members of Council.

PRESIDENT MARTONI: Thank you. Jim?

MR. ELLENBOGEN: First of all, I echo what Councilman Robinson said. I think everybody up here agrees with that. We don't want people from --- undocumented workers. Let's not create a problem in Allegheny County. And I believe that we have approached that problem through legislation, this Council. And I think it was a year or so ago, if I'm not mistaken, that we did something in regard to this. And I think Jared (phonetic) --- we'll have to look it up because I can't remember exactly but I didn't know you were going to do that or I would have researched it. But I'm pretty sure that we have --- we were involved in the steel mill. I can't remember the name of it now, but they closed and they had undocumented workers there.

PRESIDENT MARTONI: That was in Rankin.

MR. ELLENBOGEN: Okay. Thank you. So that's one thing I wanted to talk about. The other thing I wanted to talk about, nothing is more important than jobs and working except safety. And I want to talk about safety and about the environmental protection controls that are something that CONSOL has to do before they're allowed to do any drilling on our land at the airport. So if we could have somebody who could speak to that? I don't know if Randy can. We're talking about the compliance they have to make with federal, state and local

laws and regulations, the different type of organizations like the federal National Environmental Policy Act requirements and federal transportation requirements, the State of Pennsylvania requirements, the laws that the FAA has. So if you could enlighten us about what CONSOL has to do before they can possibly drill out there.

MR. FORESTER: Absolutely. Thank you.

PRESIDENT MARTONI: Please state your name for the record.

MR. FORESTER: My name is Randy Forester. I'm senior director of development at the Pittsburgh International Airport. Just some of the things that will have to happen once we enter into this contract is --- one of the first things will be an environmental assessment done on all the drilling pads that will be used for the drilling of the minerals.

This environmental assessment will be done under the NEPA Process which is the federal process and it will be overseen by the FAA. We anticipate that this process is going to take somewhere in the order of about 18 to 24 months. It's very important for us to have the driller at the table while we go through this process because we can't make assignments for some of the things that will occur on the property. And the driller needs to agree to certain things to make sure that we get everything done right.

Some of the entities that are involved in this is the FAA, the History and Museum Commission. The DEP is involved in a number of different ways to look at air, oil and gas, waste management, water. The Corps of Engineers is involved, PA Fish and Wildlife. Moon and Findlay Townships will be involved. Allegheny County Conservation District. PennDOT if we have traffic impacts. County Health will be involved. The Pennsylvania DCNR, the PA Game. USDOT will be looking at pipelines and things of that nature. U.S. EPA will be involved. The U.S. Fish and Wildlife Commission will be involved.

Some of the things that they will take a look at as they go through this process --- and it's a very thorough process, is air quality, compatible land use, construction impacts, parklands, farmlands, fish and wildlife and plants, flood plains, hazardous materials, historical, architectural, archeological and cultural resources, light emissions and visual impacts. Natural resource and energy supply impacts. Noise impacts.

Socioeconomic and environmental adjustments and children's health and safety risk will be looked at. Solid waste. Water quality. Wetlands, both jurisdictional and nonjurisdictional, and wildlife and scenic rivers.

PRESIDENT MARTONI: Thank you. Will we have a baseline before they start?

MR. FORESTER: On some of the things we will do a baseline. It really depends on the kind of impact that they anticipate. But water quality would be one. We would anticipate that the airport would do their own baseline for water quality before we start. We also have in the agreement that any well within 2,500 feet of its well pad will need to be tested. We will give every owner of a well within 2,500 feet the opportunity to have their water tested before we start working the well pad so that we have a good solid baseline for those folks before we even get started.

MR. FINNERTY: One other thing. Would we also --- that's talking about water. How about air? Will we have some type of air quality from a health department baseline?

MR. FORESTER: The health department has just recently passed some regulations. I don't know that I know all the details of those regulations but we will follow whatever regulations they put in front of us. We'll take care of that.

PRESIDENT MARTONI: Thank you very much. Matt has a question. Matt Drozd.

MR. DROZD: I want to make sure, just because I did ask you this and I've asked CONSOL this. This will not go forward, there will be a full impact study and the FAA --- we can sign all the leases you want. After that impact there will be a full risk analysis, full impact study, health study? And if that doesn't --- he doesn't sign off on it, it stops.

MR. FORESTER: We'll do a regular EA and if the EA is not approved, then it's stopped.

MR. DROZD: That they will stop; right? They've got to approve, sign off on everything?

MR. FORESTER: It's not a question of stops. It's they can't start.

MR. DROZD: They can't even start. Okay.

PRESIDENT MARTONI: I apologize. Jim had a ---.

MR. ELLENBERGER: No.

MR. DROZD: I apologize, Jim.

MR. ELLENBOGEN: That's okay. No. It's all right. Go ahead, John.

MR. DEFAZIO: Let me say one thing. I think I can speak for anybody up here, if anyone disagrees with this statement, raise your hand. I'm serious. If you want to disagree, don't worry. If anybody up here thought this is going to kill the workers, the people, the kids and all that, we would definitely not be for this. Let me tell you that. Contrary to what some of you might believe, that's not true. Number two, as far as the jobs go, yes, we're going to get jobs. Look --- and I'm not here because of the jobs. If it's unsafe, if it was killing people, I wouldn't care how much money they were putting into this, I wouldn't be for it. But we are getting jobs. U.S. Steel is going to make us all the pipe that they would need. We're going to have trades people working. We're going to have other people working. And jobs that we can't do to start with, you can't get someone to do something if no one knows how to do that. That's the way I see the picture. Any of you guys agree with that? Am I correct?

PRESIDENT MARTONI: Mr. Ellenbogen?

MR. ELLENBOGEN: I have one question for these gentlemen. I want to know about an emergency response if something, God forbid, would happen.

MR. FORESTER: We are an airport. Much to the credit of our Executive Director, Brad Penrod, all of the folks at the airport go through training. We basically train all the time for an event that we pray to God will never happen. We're all trained in ICS. We're trained in NIMS. ICS is Incident Command System and NIMS is --- I probably should know the acronym, but I can't remember it off the top of my head. But all these are related to safety, generating safety plans, putting safety plans together. We have provisions in our lease agreement that says they're going to have safety plans. They're going to train the fire department on how to react to these, to any emergencies on these well pad sites. And we will have the best plan that you can find because that's what we believe in.

MR. ELLENBOGEN: Let me say this. You know, those folks out there know I was the former chief of operations for Allegheny County Special Services. So I want to know what coordination there is with Mr. Cannon and Mr. Foal (phonetic), with the County departments here

in terms of --- I mean, God forbid, anything can happen anywhere. I'm not saying that this is --- but I'm just saying, do you guys meet? Do you guys ---?

MR. FORESTER: We're part of Region 13.

MR. ELLENBOGEN: So you are a part of Region 13.

MR. FORESTER: Yes. We have mutual aid agreements with the different fire departments around us. We will be working together in generating that plan, and I'm sure Region 13 will be at the table just because they are normally at the table for just about anything that we do.

MR. ELLENBOGEN: So you're prepared to tell me that in the event that something would happen, you're prepared? It's not going to be people looking for this one or that one?

MR. FORESTER: Absolutely. We will be prepared.

MR. ELLENBOGEN: Thank you. I'd like to say something else.

MR. FORESTER: Sure. Please.

MR. ELLENBOGEN: Councilman Finnerty had brought that mishap with, what was it, a mill?

Well, we were kind of disparaging the media, you know. I see Mr. Shay sitting here. There's no way Mr. Shay is going to come in here and let any worker of any sort --- and I'd like to remind everybody, also, that a lot of the workers that were in that mill were not union people but the unions of this County went down to protect them. They are for safety first. And there's no doubt in my mind that Mr. Shay and the other representatives of the unions and their counsel will be on them probably better than anybody because they're not going to send their own people into a situation that is unsafe.

We've also had the Allegheny Conference here, and you know, I come from a family that were coalminers. So you know, these are times I wish my great grandfather and my grandfather were here. They were union hires. And the thing about it is, you know, --- and God forgive me, I know I'm going to regret saying this, but everybody out there knows that nobody tells me how to vote. But I'm going to tell you something. It's easy to make opinions of things when you got a full stomach. I can remember raising my kids when I had to dig ditches, and if it wasn't for being a 1058 member --- I was able to feed my family. I'm going to tell you something. I was concerned about being safe and I was concerned about feeding my

children. Now, this is a situation where there are thousands of people who are going to get jobs here. Where do they come from? Who knows, but they'll be people that I'm sure that are --- people will make sure that they're legal.

That being said, and you know, we sit up here and we struggle for what we get paid to try to find monies for things for seniors, for things such as --- like the Homestead Exemption Act. Our bridges are falling apart. And you know, I sit here and I listen in public hearing after public hearing, while people disparage us saying, well, you raised our taxes too high. You did this too high. Where the heck do you think we're going to get money to do these things? I mean, I agree completely with the Allegheny County Labor Council chief when he says, I would rather us get in on the ground floor and make sure that this is safe, make sure that it progresses and this region grows. Because in my opinion, this is not just for Allegheny County, this is a regional thing. You know what? If I get disparaged for it, that suits me just fine. Thank you.

PRESIDENT MARTONI: Mr. Futules?

MR. FUTULES: I have a question. It was raised tonight about us voting without due diligence, environmental impact, health risk and all the things we read about. But do we know approximately a certain number that it will actually cost them to do this? What it would cost to do all these studies?

MR. FORESTER: To do an EA on ---?

MR. FUTULES: Yeah.

MR. FORESTER: Probably hundreds of thousands of dollars.

MR. FUTULES: So they wouldn't do that until we voted because they would be wasting their money if they did it before our vote ---

MR. FORESTER: Correct.

MR. FUTULES: --- basically. So the fact that we have to vote tonight is to give them an opportunity to start this process. If we're not satisfied, then it doesn't continue. That's basically what we're doing this evening. We're giving them mineral rights and the opportunity to start this process. And without our vote tonight, it's not going to start the process. So that's why we need to vote in favor of this so we can start the

process and move forward to find out whether it is feasible.

PRESIDENT MARTONI: Mr. Finnerty?

MR. FINNERTY: Thank you, Mr. President. In regard to the process of environmental protection controls, will all this be transparent and will we get the reports?

MR. FORESTER: If you have a big enough room, sure.

MR. FINNERTY: I'm serious.

MR. FORESTER: We will keep --- our intention is to keep all of the reports, the environmental reports and everything. We will have them on file at the airport and you're welcome to any of them that you would like.

MR. FINNERTY: I think that's ---.

UNIDENTIFIED SPEAKER: How about the public?

MR. FINNERTY: Excuse me. Excuse me. Please. I'm sure that there's an executive summary. I'm into those executive summaries that are like 20 pages long, you know, and they point to another page that you can get the other results if you want to see them. So that's what I would be looking for, an executive summary.

MR. FORESTER: Typically, there is an executive summary.

MR. FINNERTY: And it is a transparent process, so this is open to the public as well; correct?

MR. FORESTER: Yes.

MR. FINNERTY: Yes, it is. Okay. Thank you very much.

PRESIDENT MARTONI: Mr. Macey?

MR. MACEY: Thank you, Mr. President, and members of Council, friends of the energy and friends of the concerned. If you take a look at where I come from, my neck of the woods in the Mon Valley, you'll see that the Clairton Coke Works is doing its due diligence and it's helping people clean the air. But there's something else that they do. They make coke. And that coke goes down to the Edgar Thomson Plant where they make steel. They make slabs. Those slabs go to the Urban Works. From the Urban Works, they make flat rolled steel. That steel goes down to the U.S. Steel Tubular Works in McKeesport where they make the pipes. The pipe then goes to Duquesne and it goes to Liberty Borough where they coat it, where it's stored in Duquesne.

Forward Township has EQT storage tanks. They've been there. They have a distribution line going through their community. Elizabeth Township has entered into lease agreements. McKeesport has entered into lease agreements. Werner (phonetic) has entered into lease agreements. There's a lot of ancillary jobs that go along with that. The Parks Department, the hardware stores, even down to the little old guy and gal that is a notary public. The paper that they need to put together different --- paperwork obviously. But there are so many jobs that are related to this in my neck of the woods. And I haven't heard one person, one individual --- and I represent 94,000 people, not one has told me to vote against this.

And I know I represent all of Allegheny County as well. But if I go to speak with the people in my neck of the woods, I'm going to speak about --- for the people of District Nine. I'm voting for this because it means a heck of a lot to our community. Communities of modest means. Communities that have been suffering for 25, 30 years at the end of the steel industry. I'm voting for this. Thank you.

PRESIDENT MARTONI: Anyone else? Jim? Barbara, Matt and then Jim.

MS. DANKO: I, a week ago, had expected to be coming here in support of this ordinance. I believe drilling can be done safely. I believe that it is important to grow the jobs in this region. I believe that using the money at the airport is a good investment for the economic development and the future of our county. But we got a copy of the leases over the weekend and I started reading through them. And there were red flags. I happen to know someone who has spent 35 years in the oil and gas industry and has no skin in this game. And so I said do you have time to look at this? And he called me about a half hour later and he said, we're going to need about three hours on Monday to go through it. And I put in that time on Monday.

One of my main concerns, you know, we keep hearing about a 20-year revenue stream. You know, some of you are old enough to remember Lamb Chop. This is the song that never ends. This lease can go on and on and on. You could have one --- the continuation of the lease depends on well economy. Well economy can be one producing well that brings in \$300 in royalties to the

county. They would have to pay the additional rental space, but it can be a holding pattern. There is also provisions, you know, and they define the minerals that can be drilled, oil and natural gas byproducts. But there is really no depth severance, which is a term that means if you --- this starts --- I think it's called the L-something, about 4,000 feet down. Well, basically, if you look at this lease, they own the mineral rights and lease mineral rights to the center of the earth. That means that it's in their best interest to hold this lease and hold this lease for future development 10, 20, 50, 100 years down the road, when new technologies become available. And we won't ever again get the opportunity for some other upfront bonus payment. I feel like the bonus payments are like the flashing lights at Vegas.

And that the other major concern that my attorney acquaintance mentioned is that the tradeoffs that we make to increase the upfront bonus payment, we could be killing ourselves --- not killing ---. The economic impact on our royalties, potential royalties over the life of the lease, there are many, many stipulations in here where the royalties --- things are subtracted from the royalties based on other provisions. And for those reasons, I do not think that this lease is in the best economic interest of Allegheny County. Thank you.

PRESIDENT MARTONI: Mr. Burn?

MR. BURN: Thank you, Mr. President, and members of Council. I think you have the votes. I haven't done a straw pole, but I suspect that there is enough votes up here that we're going to vote this up tonight. I know that under our rules and our procedures, if we wanted to schedule an emergency meeting before March 1st, we would probably be able to do that. I don't think, however, that's going to change anything. I think that the folks up here made up their minds, and that's where the disagreement comes in. Substantively, I think that drilling is something that --- it's here. It's all over the state.

In fact, at our democratic state committee meeting, we have a resolution in committee right now. There's no dispute that the state party supports the concept. It's just the debate on the regulation and public safety. So I say that not as a state chairman, but I say that as a county councilman as well. That's where the debate is up here, and that's also where the

disagreement therein lies, is the issue of the public safety. I want to thank our Chief Executive this morning for having a --- reaching out to me. We had --- as we always do, we had a great --- no. No, we had a great conversation. Rich, I've always admired and I will always admire and have the utmost respect for that man's leadership and that man's direct approach and that man's passion.

He said in the paper last week that he loves his job. He wears it on his sleeve, and that's contagious. What I said to him this morning and I'll say to everybody here tonight, nobody wants to see him succeed more than me, for a lot of reasons, number one being our friendship, number two, being the time he's spent, and number three is, as chairman of the state party, with Rich being one of our highest and most respected leaders. And I also was very candid with him in my concerns. And substantively, I agree. I agree with drilling. Substantively, I do. Procedurally, I have concerns. And as an attorney --- and Jeff, you can appreciate this, we all disagree --- I mean, like Jimmy said. Procedurally, that's where I am tonight. I am not completely convinced, folks, that we've done what we needed to do in the short amount of time that we've been given to vet this properly and to give it the time that it needs. I appreciate and admire all of you to the time that you've given and to some of the questions that you've asked tonight. But I still think we need to do more. I don't think that we've done that. I mean --- and Nick, I didn't mean to call you out on this, but my point when I asked you about the rope swing was we sent a rope swing into committee for two weeks, because we were concerned about public safety. And now we can't do the same thing with something as significant as this.

(Applause.)

MR. BURN: I don't --- and I know that I am not the only one who feels this way. And I will say this, and I know some other folks probably feel the same way I do when we cast our votes tonight, this is neither for us or against us. This is what elected bodies do. If we were all unanimous in our thinking, then we would be --- you know, we would not be doing our due diligence or our service, and we would not be honoring the oaths that we've taken. It's not an us versus them, it's not two dimensional thinking. It's with the spirit of democracy that we have these conversations and oftentimes that we

have dissent. Nobody, I have seen nobody ever, ever get in my face and tell me that for the last 20 years, I haven't represented injured workers or that I haven't represented the working class, that I haven't stood side by side with my brothers and sisters in organized labor and elected Democrats into office, be sustained by jobs with great opportunities for working class families.

I could be selfish to cast a vote tonight for this. I'm a trial lawyer. I represent injured people. I would rather not see one injured worker come into my office because of hazardous exposure or an injury, because we didn't check the tires or particularly go a lot further right now. Now, look, I know this is going to pass, and I'm going to shake everyone's hand and I'm going to shake all of your hands. I know this will pass, and I will do whatever I can once it passes to make sure it's done right, to make it's done safely. But please don't misunderstand my vote or anyone else's vote up here tonight. I will not tolerate, and neither will my colleagues, any name calling or any second grade or kindergarten reaction to our votes. I'm not saying that that's going to happen, but sometimes it does. This is a healthy, spirited debate, and I admire all of you. We have not always agreed, and maybe we don't stand on the same side tonight, but we'll stand on the same side on the next important issue. Thank you very much.

PRESIDENT MARTONI: Amanda.

MS. GREEN HAWKINS: Thank you, Mr. President. I want to thank all of my colleagues for their well thought comments and input this evening, particularly my fellow Council member who spoke just before me. And that they've just --- leaves very little left to say on my part. I have struggled with this decision, and I'm still struggling with it. I'm interested in the jobs. I'm enthusiastic about the jobs that can come out of this. I'm also interested as to my due diligence, to make sure that it's done right. And when we talk about the impact studies, the risk assessments and things like that, and the company won't invest the money in studies unless they know that they can get this done, I still have questions about that, as well, because I see it as an investment.

A study is an investment in your decision to continue with drilling or to see drilling, to start with. So if somebody stands to make hundreds of billions of dollars, I see a couple of hundred thousand as just a drop

in a bucket when you're talking about a study that determines whether or not something affects the community.

(Applause.)

MS. GREEN HAWKINS: That's an important thing. It's an important decision. So as I sit here and struggle with it, I'm leaning on the side of --- on a negative on this, not because I'm against drilling. I'm just against the process that we've done this in. Thank you.

(Applause.)

PRESIDENT MARTONI: Matt.

MR. DROZD: First and foremost, I'd like to know if the gentleman would like to sit down unless anybody has more questions of him, Mr. Chairman. I hate to see you stand aside.

AUDIENCE MEMBER: Yeah. What I was going to say is if there are any questions, we're here. We're here to answer any questions, anybody ---.

MR. DROZD: I have some dialogue.

PRESIDENT MARTONI: We'll call you up, but thank you.

MR. DROZD: If you will indulge me, my fellow Council members. You know, I withheld my vote on Thursday from bringing this out of committee, because I wanted to do due diligence. I had more questions to answer. I do the due diligence, you can count on that. Bring your stats, I'll bring mine. First and foremost, I also want to say that I'm sorry that the councilman is not here tonight. I want it to be known that he --- I called him twice and he didn't return my call. And on the third time, I finally reached him. So I don't want anyone to accuse that no one ever gets this councilman, because you call me, you're going to get me, because it rings right into this phone 24 hours/7 days. You can count on that.

So we get these accusations all the time without --- people, and then they leave without even us being able to respond, first. Secondly, let me say this. I am very convinced now that this is safe, in the essence that they have done and they're going to do due diligence. I was concerned about the risk analysis, very concerned about that. I know this will not go forward. The FAA is going to watch that very carefully. I know, because I was in the Air Force. I know what happens in air bases. They don't let anything go forward in air bases, especially when there's a tanker unit and a 131st --- that 30th right across from them, that 910th or 911th across from them.

PRESIDENT MARTONI: 9-1-1.

MR. DROZD: It will not go forward, believe me, because not only will the FAA weigh in on this one, I'm pretty sure that so will the DOD, that's the Department of Defense, before this goes forward. So they're going to make sure it's safe and as safe as it can be. Let me also mention this. I was concerned a lot about my constituents, too. I wanted to hear what my constituents said. On this list, I don't see one of them. The ones that are really directly affected, they are not here. In fact, last night --- I only see one husband and the gentlemen that are here that had an interest that was at that meeting last night, besides me. Now, what I did is I do due diligence.

I get my stats and I gather them. And what I did do is I called about 100, 200 random sample of my constituents who live immediately in the area of the airport in Findlay, some in North Fayette. You know what the result of the poll was? Eighty-five (85) to 90 percent said go with it, no equivocations whatsoever. About 80 percent were like me that said, hey, I want to see it come in, but I want --- I have some questions and I want some concerns answered, is what they said. And about two percent, maybe three percent, said an emphatic no. And last night was about the same thing. I even queried them as they went out --- they went out the door last night. I said, thumbs up or thumbs down; the majority, thumbs up, the residents of that area, except for maybe two or three people, and one was --- two were from Michigan and somewhere else, making --- whatever it may be to their destiny and their future.

You know, I just reached the pump a little while ago. Like many of you, I paid \$3.89 a gallon. It was once \$3.29. I remember when it was \$1.75. I'm tired of being dependent on other sources of energy. Many of us in this country have said let's go find alternate sources of energy. Bring it to us; bring it to us. Let's look at it, and then when we find it, everybody says, oh, no, we can't do it. I have no doubt in my mind whatsoever right here and now, that this will be done safely. By the way, the one accident was an industrial accident. I remember. I come from the Steel Works. I come from the Steel Valley. A friend of mine was killed in the Steel Works. It was pointed out. It happened in the pioneering stages.

That one man, that friend of mine, that knew, it happens in industrial accidents.

But this company took care of business. In fact, it was pointed out --- just to point out, they spent \$22,000,000 in taking care of the water quality in one area to clean that water up, \$22,000,000 of their own money.

(Outbursts from audience.)

MR. DROZD: Please, sir. I have, I listened to you. We listened to you for four and a half hours the other night and took the accusations. I did my stats, bring yours.

AUDIENCE MEMBER: I have them.

MR. DROZD: Now let me finish. Let me finish. I still have more things to say here. I did read the lease, too. My concern tonight brought our attorneys forth tonight. What the concerns were is, in that leases, you may have the right to assign. The reason why I'll be voting on this tonight is because I believe in CONSOL Energy. I believe that they are, here and there, my neighbors and they're my friends. They employ 6,000 out of our --- of their 10,000 employees, that are employed right here in this region. You multiply that with what they put on --- the food and the bread and they get --- and you see what happens there, 6,000 out of 10,000. Let me tell you some stats of this. I looked it up and I looked at it. One well, they're going to spend \$5,000,000 to \$10,000,000 just to put that well in. It brings 420 individuals per well employment across 150 different occupations. One of my constituents --- two of my constituents last night told me --- they said, gee, I have a son that would like to get employed. I sent him over to see one of the CONSOL people. And I told them before they left, make sure those employees come from here. And I think they will. And you know what else I did last night?

I went around to each and every CONSOL employee that was there in their red shirts. I said, where are you from? You know what they said? They're all from the region. They're all from the region, except for two or three from West Virginia. But you know what? I love West Virginians. Why? They're in the tri-state area. They're a part of us. They're only 78 miles from our border. They do employ those people. Let me tell you another thing. I did read the lease. I looked at that. Remember

what I said, can they assign? I do not want to see --- like a mortgage, I don't want to see someone else in front of me.

The attorneys were there with me, and they're a witness to this. And what I noted was, what's this Noble Energy? Who are they? They're partners. Let me tell you something. Right on CONSOL's website, which I have here, you know how much they're our neighbor? They put proudly on this website --- what it says specifically is --- and let me read it to you --- CONSOL Energy, a publicly owned Pittsburgh-based company. Do you know we were ninth in corporate headquarters at one time in the country? We're no longer. The jobs have gone elsewhere. We're no longer the ninth corporate headquarters in the country. Think of that.

So that's what they have. And guess what else they had on their website, a photograph of Pittsburgh. That's right, a photograph of Pittsburgh. They care about us. They're our neighbors and they're our friends. You know, all these companies I've seen, they moved out of this area. They moved to other parts of the country. CONSOL stayed here. They reinvested here. They're a part of us. They employ our people.

Now, let me tell you about who's backing this. If this was an operation coming from some other state or out of the country, you'd be the first one to say, you know what, bam. This isn't. This is someone here in our own backyard that I trust, and that are deep, deep pockets and have had a good safety record, a very good safety record, and put their people first and foremost. Let me tell you how much they back it up. When people think --- you don't think they're going to clean this up or we can't go after them? I'll tell you how deep they are. They got 4.5 billion tons of coal at an average cost for a ton of coal --- I'm telling you the low side and this is mixed coal --- they've probably got metallurgical coal, and whatever it may be, and steam coal --- is \$24 to \$41 per ton. Do you know what that equates out to, about \$80,000,000,000.

They have 3.5 trillion cubic feet of gas. Start multiplying that. You don't think we can't go after them if they don't do right by us? You don't think they have deep enough pockets that they're going to make this right? You better believe they do. They're strong. Let me tell you about their partner. Their partner is Noble Energy,

would help in the market and bring this gas to market and bring those monies into here. Their partners, by the way, have 1.2 billion barrels of oil in reserve. Do you know how much that is a barrel, \$92 a barrel. That's \$92,000,000,000. That's what they got, and that's how deep they are.

It isn't going to happen where they're not going to go away from us. All these things we heard in other parts of the country are not these people. These are companies, I'm sure, that were fly-by-night operations. They are not a fly-by-night operation, because they've been here since 1864, and the other company was founded in 1932. Think of that. And what are we going to tell them, go away, you're not our neighbors? You're not our friends? We don't trust you? They put their money here, they put their families here and they grow their families here. And I, for one, am going to support them, whichever the case may be, because I know this will not go forth if the risk analysis does not say so and it doesn't protect our people. And I vote the will of my constituents, my constituents --- my constituents, both in West View to Ross, beyond the airport into Findlay and Moon.

And I called my constituents and they said let it go forward; we're with you. And this isn't a small majority. This isn't 60 percent or 70 percent. I'm talking 85 to 90 percent. And it's going to employ our good people in high wage --- in high earnings jobs. This is a no-brainer. It really is a no-brainer.

AUDIENCE MEMBER: That is a brainer.

MR. DROZD: No, it isn't.

AUDIENCE MEMBER: Yes, it is.

MR. DROZD: No, it isn't, because I come from the Steel Valley and ---.

(Outbursts from audience.)

PRESIDENT MARTONI: Let's keep it quiet.

MR. DROZD: If it came into your communities, immediate communities into the city or whatever, and we took that poll and you said no, you better believe I'd be the first to say no. And my constituents said to me, let it go forth, and I feel we have to go forth.

And lastly in this, I think that --- I think this region and this country, we're in dire straits. We've been dependent too much on those Far East companies, those Middle East companies that take our monies, take whatever it may be. Even in the Middle East where I

served, we should get something back on those surcharged barrels that they spend, but we don't. They're going to spend it. And by the way, do you know what that produces into the communities, \$2.5 million, and they prorate it, that goes into those communities, into our coffers every year. And that's a variable, because it goes up from there.

You know, lastly, I'll say this. I, for one --- you know, I always put public safety first, and I feel very comfortable about this and I have done due diligence on this. And I know a lot of my Council members have, too. And we just can't turn our back on this thing. But we've got to do something in this country to make us independent on energy. We need to do that. We're sitting on the Saudi Arabia of America. This is for us now and our people. The only regret that I have about this entire thing, the only regret is not the fault of CONSOL, not the fault of our county people. This is the fault of the FAA. And I even said it to the congressman when we left last night. He didn't respond the way I wanted him to. I don't care what ---. Okay. And what I said was, why doesn't the people get a cut of this? They need a cut of this, like they do in Alaska, where in Alaska they get a check, and why not?

And that's what we should give, and that's what we should get when you come here, to reduce --- where I see this in the future is to reduce the burden of the taxes on the people of Allegheny County and our region. We're not just a county. This is affecting our region in whole, and it affects the tri-state area. And if we turn our backs, --- we could be the model of the country. And by the way, there's thousands of acres.

And CONSOL, to you, what you promised me last night, you're going to work with these communities, and you're going to look at those setbacks. Even though I couldn't get that amendment for you, you said you're going to do that. Is that right? Let me hear those heads nod. You're going to work closely with them, to make sure that these people are accommodated those setbacks we found that doesn't --- just unaccommodating by --- or compensate them so. Okay? That's lastly. I'll leave the rest for then.

I will be voting yes, based upon my stats and my --- I'm voting on behalf of the majority of what my constituents want, and that's the way I always go, because that's who I speak on behalf of. And they're the ones

that voted me into office, and they say vote for yes. And that's where I'm going.

PRESIDENT MARTONI: Thank you, Mr. Drozd. Ms. Rea? Ms. Rea, are you still there?

MS. REA: I am, yes.

PRESIDENT MARTONI: Okay.

MS. REA: I don't have a comment. Thank you.

PRESIDENT MARTONI: I was told you did, and I apologize.

MS. REA: I know; I do not. Thank you.

PRESIDENT MARTONI: Okay. Roll call. I think we had enough rhetoric on this, so let's have a roll call.

MR. CATANESE: This is on Bill 7387-13. Mr. Burn?

MR. BURN: No.

MR. CATANESE: Ms. Danko?

MS. DANKO: No.

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: Ms. Green Hawkins?

MS. GREEN HAWKINS: Nay.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Abstain.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. CATANESE: Ms. Rea?

MS. REA: Yes.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Nay.

MR. CATANESE: Mr. Martoni, President?

PRESIDENT MARTONI: Yes.

MR. CATANESE: Yeses, 9, nays, 4, with 1 abstention. The bill passes.

PRESIDENT MARTONI: Liaison Reports. Any liaison reports?

MR. FINNERTY: Of course, I have one.

PRESIDENT MARTONI: You always have one.

MR. FINNERTY: This has to do with some jobs from different unions. I think I talked about the Joint Apprentices --- Apprentice Committee that --- I might as well wait a second, I think.

(Departure of audience members.)

PRESIDENT MARTONI: Okay.

MR. FINNERTY: Okay. Thank you very much, Mr. President. We're talking about the Joint Apprenticeship Committee. That's Local Union Number 5, IBEW. It's on the South Side. Their apprentice program is going to be opening up March 12th, 13th, 14th and 15th and 16th. And if you want to give them a call, you'll have to look it up in the phone book, and you have to appear in person to get an application. And they will give applications out between 9:00 a.m. to 1:00 p.m., those dates that I mentioned. I'll say that again next meeting, because that will be close to the dates. Also, the Joint Apprenticeship Training Committee from the Plumbers Local Union Number 27 is opening up its apprentice program, and they're located at 1040 Montour West Industrial Park, Coraopolis, PA, 15108. But that's actually out by the airport interchange where the Airport Marriott is located. And that area right there, that's still a Coraopolis ZIP code. And the phone number is 724-695-9047. So you can give them a call, and their program's going to open on March 11th through March 23rd. And I'll say that again next week or at the next meeting. Thank you very much, Mr. President. That's all I have.

PRESIDENT MARTONI: Thank you. Any other liaison reports? New Business. Ordinance and Resolutions. Do you want to say something? Come here to the ---.

MS. HEIDELBAUGH: I have a quick question for the county manager. I don't know where else to do this but in New Business. It's been reported in the press on a couple of different stories that the county executive is asking for letters of resignation from each person that he appoints to a board. I'd like you to come back at the next Council meeting and I'd like you to report on this. I'd like to know, is this true? I'd like to know who they went to. I want to know who signed them, who didn't sign them, and under what authority we're asking for these. I have a grave concern that this is unwise, that people who

are appointed to boards should be independent and should not have undue influence in regard to their actions on these boards.

And I think that Council, because we have the power to vote in regard to their appointments, we need to understand that this is going on, and we need to weigh in on this.

PRESIDENT MARTONI: Okay. That was a question. Okay. 7435-13.

MR. CATANESE: An ordinance amending Chapter 215 of the Allegheny County Code of Ordinances entitled Boards, Commissions and Committees, Article III entitled Council of Friends, Section 215-11 entitled Membership; term of office, in order to expand representation on the Council of Friends organization for each of the nine county parks. Sponsored by Councilman Macey.

PRESIDENT MARTONI: Committee on Parks. Mr. Macey, do you want to say anything on it?

MR. MACEY: Thank you, Mr. President, and members of Council. I just think that this is a great opportunity to expand the committee. With the Parks Foundation being in place, as well as some of the genuine needs we have in our parks, I think it's important that we have more people involved, and I think the more the merrier. I see what other Friends of the Parks are doing, especially South Park, that are raising money with the different areas. And I think this is a great opportunity to --- for us to reach out for other volunteers. And God bless our volunteers. Thank you.

PRESIDENT MARTONI: Thank you. 7436-13.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2013, Submission 3-13. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Send it to Budget and Finance. 7437-13.

MR. CATANESE: A resolution of the Council of the County of Allegheny authorizing pursuit of a Tax Increment Financing Plan to pay for a portion of the Westport Woods Development, to be located in Findlay Township, Allegheny County, Pennsylvania. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Economic and Development Housing Committee. New Business, Motions.

MR. CATANESE: We have none.

PRESIDENT MARTONI: Notification of Contracts.

MR. CATANESE: None.

PRESIDENT MARTONI: Public Comment on Agenda
Items. We had one.

MR. CATANESE: We had one, but he's gone.

PRESIDENT MARTONI: He is gone, yes. Motion for
adjournment?

(Chorus of motions.)

(Chorus of seconds.)

PRESIDENT MARTONI: Moved and seconded.
Questions? All in favor?

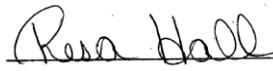
(Chorus of ayes.)

PRESIDENT MARTONI: Meeting adjourned.

MEETING ADJOURNED AT 7:34 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