

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

Dr. Charles J. Martoni	-	President, District 8
Nicholas Futules	-	Vice President, District 7
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
Krista Harris	-	District 5
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, September 10, 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:

Joseph Catanese - Director, Constituent Services  
Jared Barker - Director, Legislative Services

PRESIDENT MARTONI: The meeting will now come to order. Please rise for the Pledge of Allegiance, followed by a silent prayer or reflection.

(Pledge of Allegiance.)

(Silent prayer or reflection.)

PRESIDENT MARTONI: Please be seated. Roll call.

MR. CATANESE: Mr. Burn?

(No response.)

MR. CATANESE: Ms. Danko?

MS. DANKO: Here.

MR. CATANESE: Mr. DeFazio?

(No response.)

MR. CATANESE: Mr. Drozd?

(No response.)

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: Aye.

MR. CATANESE: Ms. Harris?

MS. HARRIS: Here.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Here.

MR. CATANESE: Mr. Macey?

MR. MACEY: Present.

MR. CATANESE: Mr. Palmiere?

(No response.)

MR. CATANESE: Ms. Rea?

MS. REA: Here.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Present.

MR. CATANESE: Mr. Martoni, President?

PRESIDENT MARTONI: Here.

MR. CATANESE: Eleven (11) members currently present.

PRESIDENT MARTONI: Proclamations/  
Certificates. 7733-13.

MR. CATANESE: Certificate of Achievement awarded to the South Fayette High School Girls' Track Team, for winning the 2013 WPIAL Class AA Championship. Sponsored by Councilman Finnerty.

MR. FINNERTY: Thank you, Mr. President. I'd like to call the South Fayette coaches up and team members, please. It's always a great honor to recognize a championship team. And I think it's especially important that we recognize South Fayette, who is an outstanding school district with an outstanding sports team and knows that they have another championship and --- the girls' track team championship, which is super. I'd like to introduce the coach --- coaches, I guess, Coach Antonio Powell and Coach Dave Iannetti. Do you want to say a few words about the team?

COACH POWELL: First off, I would like to thank just everyone for having us here, to honor us for this at this time. I'm Coach Antonio Powell and that's Coach Dave Iannetti, Jess Sanzusky (phonetic) and Megan Allen (phonetic). Unfortunately, that's only two of our girls out of a very, very big team. But I couldn't reach any other members. Some of them are doing softball and volleyball, I think volleyball, and cross country, so they couldn't be here. We had a very good season, winning the WPIAL championship was beyond compare. Megan was a junior, pole vaulter. Jess is --- because I missed two, Jess is a sophomore. She won one relay, 100, 400, javelin. Coach Iannetti is pole vault and sprints coach. And hopefully, we'll be back here next year because attaining our first place record were sophomores or freshmen. Hopefully, we're back here again next year. Thank you very much.

(Applause.)

MR. FINNERTY: This is the proclamation. This Certificate of Achievement is awarded to the 2012-2013 South Fayette High School girls' track team, in recognition of earning the 2013 WPIAL Class AA Girls' Track Team Championship. We commend and recognize each player and coach whose determination and resolve led to this achievement. The team has set a positive example of excellence for all of Allegheny County, continuing evidence that this is the County of Champions. This achievement is conferred as an honor on this county. It is an accomplishment in which the entire county can be proud. Sponsored by myself, Michael Finnerty. Okay. And I just want to show you that there is a tremendous amount of track players over here. We're going to go get our picture taken over here now.

(Applause.)

(Pictures taken.)

PRESIDENT MARTONI: Thank you very much.

COACH POWELL: Thank you.

PRESIDENT MARTONI: 7734-13.

MR. CATANESE: Let the record show that Council member Burn is present. Proclamation declaring the month of September 2013, as Childhood Cancer Awareness Month in Allegheny County and recognizing childhood cancer survivor, Danielle Rose Carpenter, of Franklin Park, Pennsylvania. Sponsored by Council members Martoni, Rea, Burn, Danko, DeFazio, Drozd, Ellenbogen, Finnerty, Futules, Green Hawkins, Harris, Heidelbaugh, Macey, Palmiere and Robinson.

MS. REA: I'd like to invite up the Carpenter family. Mom, you can come up, too. If you want to take pictures, you can. Whatever's best for you and your daughter.

MRS. CARPENTER: Okay. Thank you.

MS. REA: I'm trying to make sure everybody can see you, Michele (sic), so we'll --- maybe we'll just talk and maybe your dad can hold --- so they can hear you, too. First, I'm going to read into the record a proclamation about this month being childhood cancer month.

WHEREAS, all children deserve the chance to dream, discover and realize their full potential. This month we extend our support to young people fighting for that opportunity. And we recognize all that commit themselves to advancing the journey toward a cancer-free world.

NOW, THEREFORE, BE IT RESOLVED, that Allegheny County Council does hereby proclaim September 2013 as Childhood Cancer Awareness Month in Allegheny County. And we encourage the residents of Allegheny County to join us in reaffirming our commitment to fighting childhood cancer. We also have a recognition award for Michele, too, and her family. But I think it's really important that you hear from her parents and from Michele, herself, who we're really honored to have with us this evening. So who would like to speak first? Would you like to talk, Michele? Are you sure? Oh, I'm sorry, Danielle. I'm so sorry; I'm saying Michele. Yeah, you're like who am I talking about. I apologize.

PRESIDENT MARTONI: Go ahead.

DANIELLE: Good evening. I am a cancer survivor. When I was two years old, I was diagnosed with

childhood cancer. I had a kidney removed and two more surgeries removing over half of my small intestines. I'm okay, but I'm one of the lucky ones. The fight against childhood cancer does not raise as much money as other charities for the research we need. Because of this, we started Danielle's Roses Against Childhood Cancer, but we have now been the number one team in Pittsburgh for CureSearch, for two years in a row. Now we are even starting Danielle's Roses in other cities. Please contribute to join the fight by liking Danielle's Roses Against Childhood Cancer on Facebook. Many of the kids that have cancer cannot advocate for themselves, so thank you very much for doing what you are doing today.

(Applause.)

MS. REA: Thank you, Danielle. I don't know if either one of the parents want to talk about what you've been doing in the past three years, your mom or your dad, or ---?

MR. CARPENTER: Hi. My name is John Carpenter, and I have the honor of being Danielle's father. I'm also the chairman for CureSearch in Pittsburgh. And that's a volunteer position, but it's a very important position because we made a lot of progress in the last couple of years. We've just had our walk in Schenley Park two weeks ago and, Danielle, for the second year in a row, was the number one team in Pittsburgh. She raised over \$14,608, I think, was the number.

(Applause.)

MR. CARPENTER: And the Pittsburgh Walk raised over \$40,000. But again, it is an uphill battle. These kids can't advocate for themselves, and a lot of them are still over at the hospital sick. So it's up to us as adults to carry the flag for them. So I urge you to help support the fight, and I thank you very much for having us here today. It's an important step for us. Thank you.

(Applause.)

MS. REA: Do you want to say something? You worked hard, too, as her sister. We'll take her picture with your family.

(Pictures taken.)

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

MR. CATANESE: Let the record show that Council member Drozd is present.

7732-13. Certificate of Achievement awarded to the Shaler Area High School Girls' Lacrosse Team, for winning the 2013 WPIAL Division II Championship. Sponsored by Council member Burn.

7735-13. Proclamation congratulating Alcoa upon 125th anniversary and naming October 1st, 2013, Alcoa Day in Allegheny County. Sponsored by Council members Macey, Burn, Danko, DeFazio, Drozd, Ellenbogen, Finnerty, Futules, Green Hawkins, Harris, Heidelbaugh, Martoni, Palmiere, Rea and Robinson.

7736-13. Proclamation naming August 26, 2013, as Women's Equality Day in Allegheny County. Sponsored by Council members Martoni, Burn, Danko, DeFazio, Drozd, Ellenbogen, Finnerty, Futules, Green Hawkins, Harris, Heidelbaugh, Macey, Palmiere, Rea and Robinson.

7737-13. Proclamation declaring the month of September '13 --- 2013, as Hydrocephalus Awareness Month in Allegheny County. Sponsored by Councilman Martoni.

PRESIDENT MARTONI: Public Comment on Agenda Items. We have a number of speakers tonight. I would ask each speaker to give their name and address before they begin their talk. The first speaker is Les Ludwig. I think I saw him.

MR. LUDWIG: Thank you, Mr. President. My name is Les Ludwig. I live at 6589 Rosemoor Street, in Squirrel Hill. I come to you tonight as a person with a degree in food technology. I served our country at Walter Reed's Army Institute of Research, from 1956 to 1958, testing the post's food supplies and five posts that surrounded Washington, D.C. And I am standing here, and I am very opposed to fracking without the time period of the delay, so that we know definitely the distance provided between the fracking area and where the water comes out of the pipe is sufficient, so that we can't have a public health disaster.

And I'm not interested in how much money is at stake. I happen to be a candidate for Mayor of Pittsburgh, as an independent. And I'm saying to you, I'm bringing money from a different source, money that could be made by government without a potential endangerment to public health. We have to be extremely careful because there is a report, and I raise it as a question, that in the area of Butler, there are 50 families that have been seriously affected by fracking.

I don't have a proof, but I have the fear because, let's face it, the world came a long distance in food borne diseases that were water borne, were chemical problems. And we don't have to be subjected to it because the county or someone wants to make money. That's not an excuse to endanger public health. I thank you.

PRESIDENT MARTONI: Thank you.

(Applause.)

PRESIDENT MARTONI: Aaron Booz? If I mispronounce a name, please correct me.

MR. BOOZ: My name is Aaron Booz, 3181 Bel Air Drive, Whitehall. First of all, I want to thank and congratulate Ms. Daly Danko. I know her measure tonight is not popular with the County Executive. I already saw how he's criticizing her in the press, but I appreciate her courage and principle. I'm glad that you're considering taking a step. It gives you time to reach the conclusion that I hope you reach, to never lease the parks.

I hope you sent her ordinance to committee, and I hope you pass it after it comes back. And I hope you make it with ten votes. I constantly tell people that the more you learned about Marcellus Shale, the more concerned you are and the more you're against fracking anywhere close to where people are. In fact, the European Union did a study last year where they found that because of the dangers, horizontal drilling and fracking should not occur, quote, anywhere where water is used for human consumption, unquote.

But I don't need you to totally ban fracking everywhere, I just need you to keep it out of our parks. Also, I want to thank you tonight for not rushing this through. You could have brought it up for a quick vote this month --- you've seen earlier this summer what happened --- and you're not doing that, you're asking good questions. Mr. Futules, Ms. Heidelbaugh and more members that I'll not take the time to mention right. You're doing your due diligence, and I applaud you for it.

Now, we just need to convince that at the end of the day, to not lease the parks. And I'm confident that as reasonable and diligent women and men, you'll reach that conclusion eventually. And you can count on us to keep showing up and keep giving you information. This county is a representative democracy, meaning that Mr. Fitzgerald doesn't get everything he wants. He may --- he

has a lot of power, but he still needs enough votes in this room to pass any particular measure.

And he doesn't have the power to push you to go faster than is prudent, because you are responsible to us, not to him. I want to emphasize that you can say no to this, because we support you. The people of this county will remember those of you who stood on principle, who stood for the parks and against fracking our parks. Also, your voters are not in favor of this. I've spoken to a lot of people in the last couple months and even those who liked the idea of horizontal fracking and don't yet know how harmful it is. Even they know immediately that they don't want you inviting them into our parks. Here's one more reason you can stand strong and say no to this. The Dallas, Texas State Council last week decided to ban fracking in their parks, and that's in Dallas, the capital of the big oil and gas corporations.

This would be like West Virginia banning coal mining. Certainly, it's possible for you to stand tall and protect our parks. In summary, our goal is if you go to the county executive with the message --- you support him on many things and that you're still his friend, but that friends don't let friends frack in the parks. Thank you.

(Applause.)

PRESIDENT MARTONI: Thaddeus Popovich? Thaddeus Popovich?

MR. POPOVICH: You did it beautifully this time.

PRESIDENT MARTONI: Did I do it right?

MR. POPOVICH: Yes.

PRESIDENT MARTONI: Thank you.

MR. POPOVICH: My name is Thaddeus Popovich, living at 6606 Virginia Avenue, in Ben Avon. That's a hard act to follow, but I'll try. I applaud Council member Danko's courage and her submitting an ordinance for a three-year hold on drilling and exploration for natural gas on Allegheny County parkland. Councilwoman Danko, you are setting an example of stewardship that I believe all council members swore an oath to uphold. Truly, you are representing us, the citizens. What a breath of fresh air.

Meanwhile, County Executive Fitzgerald continues to represent the oil and gas industry, as he holds private discussions with Range Resources to get this all done by year end. How a public official can be so bold and say he

does not need to be open to the citizens who elected him, is beyond my comprehension. I must be living in China. Of course, he is being consistent because he --- it is payback time. Didn't he demand more campaign donations from industry? In his January 2011 e-mail to Katie Klaber of the Marcellus Coalition, he said, I need money and I need it fast.

We have many experts to bring in for a discussion, and even three years is too short a time to understand all the ramifications of fracking. For example, let's talk about silica sand. In a July story, the National Geographic tells us more, and you know all about how sand is used in the fracking process, I'll skip over that. One fracked well in the Marcellus Shale region produces several millions pounds of sand. A single fracked well could require 10,000 tons of industrial silica sand, according to Minnesota's Department of Natural Resources. Silica sand is a durable fine particle sand mined in open pits, mostly in Minnesota and Wisconsin, and then transported by barge, train and truck to processing plants and fracking sites.

Christian Pierce (phonetic) of the University of Wisconsin, Eau Claire, said he is concerned the government does not require monitoring of fine particles in silica. And he goes on, even worse, permits for ambient silica dust guidelines for the public and health. Many trivial, visible glass-like shards can occur from processing your uncovered drain pipes at a storage site. What would you think of an off-loading or storage site being located within 3,000 feet of an elementary school? That situation exists today in New York. Do we want a silica sand pile located on parkland or even near the park, which would jeopardize the health of both residents and workers?

Releasing silica into the earth is like releasing asbestos. Silica does cause lung cancer and also causes silicosis, which means that jobs in the gas industry are killing. We know from CBC reports that wearing dust masks will not protect the worker from the harmful effects. The job fatality rate from gas workers is seven times that of all industries, two times that of being a police officer. And this source is Standard of Sign (phonetic), who by the way, received an award from the Heinz Foundation, a \$100,000 cash bonus. He's an expert I recommended to be here. Thank you very much.

PRESIDENT MARTONI: Thank you.

(Applause.)

PRESIDENT MARTONI: Mel Packer?

MR. PACKER: Mel Packer, 623 Kirtland Street, Pittsburgh, 15208. I apologize to Council. I usually come with prepared written remarks. This time I'm just kind of winging it; but as a result, you may also not so --- get so many sarcastic remarks from me that you usually do.

PRESIDENT MARTONI: We feel fortunate.

MR. PACKER: I want to support as others have 7738-13, Daly Danko's resolution urging due diligence, that we just simply hold off. She has recognized --- you will recognize that the gas isn't going anywhere, folks. It's going to be there three years from now, six years from now. It's not going anywhere. You should take the time to explore this, figure things out, examine the scientific evidence.

What I'd like to do is present a little bit of that today. This is a paper called Shale Play. Shale Play is a paper that's put out in the Weirton-Steubenville area. Obviously, it favors drilling. It's put out in books, boosting the industry. Yet even they are forced to run some articles talking about toxicity of fracking in there business here. Researchers at the University of Texas gave elevated levels of arsenic and other heavy metals close to natural gas extraction sites in the Barnett Shale area of North Texas.

Several scenarios, including disturbances from fracking, lower water tables from drought, removal of water used for fracking or industrial accidents, such as faulty gas well casings, could release the dangerous compounds into shallow groundwater. And you've been to Deer Lakes; there are three shallow groundwater lakes there that little children fish in, their first experience. The report goes on to say, elevated levels in most of these metals were not found outside of active drilling sites or outside the shale. The paper recommended further research on methanol and ethanol levels in water levels after 29 of the 100 wells in the study contained methanol. The highest concentrations were in the areas of fracking activity.

And I want to cite an online interview with Brian Fontenot, who's the lead author of this study. They asked him, what did he find. He said we found there were quite a few samples of elevated constituents, such as

heavy metals, arsenic, et cetera, et cetera. We found they are above EPA's natural contaminant level, these really high levels 18 times the EPA permitted level of arsenic, different from what the groundwater used to be like before fracking came in. And it shows up three kilometers away --- that's two miles --- for the well on the edge of Deer Lakes, and two miles as the crow flies will get you most of Deer Lakes. You'll find arsenic and heavy metals in that water. Arsenic is a pretty well known poison. It takes a lot of long-term exposure. It's not a lethal dose, but it's certainly levels you do not want to be exposed to for any extended period of time. It causes circulatory system problems, even the risk of cancer. They admit that they cannot prove who's responsible for --- it's coming from fracking, but they said we have 16,000 active wells here in Barnett Shale, and it's all popped up in the last decade. So it's a pretty dramatic increase. Who knows; when you're closer to a well, you're more likely to have a problem. I think it's strong to say, that it needs more research.

That's exactly what Barbara Daly Danko is admitting here. Basically, we are being told, to go along with fracking us, to allow profit; you make profit. I urge you not to make a decision based on profit, no matter how much money the guy on top has contributed to the campaign of Rich Fitzgerald. Thank you.

(Applause.)

PRESIDENT MARTONI: Claudia Kirkpatrick?  
Claudia Kirkpatrick?

AUDIENCE MEMBER: Not here.

PRESIDENT MARTONI: Okay. Maren Cooke? Maren Cooke?

AUDIENCE MEMBER: She's not here.

PRESIDENT MARTONI: Not here; Peter Wray?

MR. WRAY: Yes.

PRESIDENT MARTONI: Come on, Peter.

MR. WRAY: Oh, I'm sorry. Ms. Kirkpatrick's just got in.

PRESIDENT MARTONI: Oh, okay. Can you switch?

MS. KIRKPATRICK: Yes.

PRESIDENT MARTONI: Fair enough. Come on in; you're up. This is Claudia Kirkpatrick, right?

MR. WRAY: Yes.

PRESIDENT MARTONI: Okay.

MS. KIRKPATRICK: The last time I checked.

PRESIDENT MARTONI: That's okay. I just wanted to make sure.

MS. KIRKPATRICK: My name is Claudia Kirkpatrick, and I live at 3763 Orpwood Street --- 3763 Orpwood Street, in Pittsburgh, 15213. And I am here to support Councilwoman Danko's resolution that the County of Allegheny shall enforce a three-year hold on drilling exploration of surface or sub-surface development relating to natural gas extraction on any property located within the boundary of any county park. I'm so pleased that Councilwoman Danko quoted the Constitution of Pennsylvania, saying that the people have a right to clean air, pure water and the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all people, including generations to come.

One of the important reasons for this three-year hold is that the Constitution --- that would be Act 13 --- has yet to be decided by the Pennsylvania Supreme Court, and final approval by the Pennsylvania DEP of the new regulations recommended by the Environmental Quality Board has not yet been granted. So we need --- therefore, we'll have our elected officials provide adequate time for these issues to be completely decided. The Allegheny County parks are extremely important to a wide variety of county and public constituents; children playing Little League and softball, tennis players, ball players, swimmers, ice skaters, horseback riders, softball players, runners, walkers, families having picnics, people getting married.

Many of us here in the room are convinced from the evidence we've seen that all of these activities will be severely restricted if drilling exploration, surface or sub-surface development, is allowed in or near the county parks. Regardless of whether we like it or not, the three-year proposed moratorium will provide an opportunity for the regulations to be clearly established, so that the best interests of all parties are taken into account. Thank you.

PRESIDENT MARTONI: Thank you.

(Applause.)

PRESIDENT MARTONI: Peter Wray?

MR. WRAY: Good evening. My name is Peter Wray. I live at 110 Royal Oak Avenue, Pittsburgh, 15235. And tonight, I'm speaking on behalf of the Executive Committee of The Allegheny Group, Sierra Club, with close to 3,000

members in Allegheny County. We urge all members of Council to wholeheartedly support the resolution in favor of a three-year moratorium on drilling in our county parks.

Councilwoman Danko's resolution is a well reasoned approach to a complex problem. It provides Council the time --- it provides Council the sufficient time to fully understand the risks and liabilities associated with shale gas drilling in our valuable and irreplaceable regional parks. Drilling in our parks is not the same as drilling at the international airport. The airport is, in essence, an industrial site. It is not a place for relaxation and recreation. As you are well aware, the decision to drill for shale gas at the airport was undertaken with a certain degree of haste and very little public input.

Councilwoman Danko's resolution provides a more measured and thoughtful approach for Council to follow over a three-year period. The shale gas beneath these parks is not going anywhere, and the drillers are not going anywhere and the one-time money is not going anywhere, so why the rush? In the preambles of her resolution, Councilwoman Danko raises the question, who actually has authority over land use decisions, Council or the County Executive? She also quite properly points out that the right of municipalities to control how safely shale gas drilling might be undertaken has yet to be settled in the Supreme Court.

Furthermore, we agree with the suggestion that it behooves the county to await the release of the DEP's new regulations before approving any permits for drilling in our parks or leasing the mineral rights. We are grateful to Councilwoman Daly Danko for introducing this resolution. She has provided Council with an opportunity to deal with the drilling of our parks in a wise and measured fashion. We sincerely hope that all members of Council will take advantage of this opportunity and will vote for the moratorium. Thank you.

(Applause.)

PRESIDENT MARTONI: Ashley Bittner? Ashley Bittner? Okay. Ben Fiorill? Ben? Ben is here. Correct your name for us, Ben.

MR. FIORILL: Fiorill (corrects pronunciation). I live at 272 38th Street, in Lawrenceville. But I'm originally from O'Hara Township, and I spent many days of

my youth at Hartwood Acres, the county park about six miles from where I grew up. When I was younger, I liked to take my brother hiking there. That's one of the first places that I remember walking in the woods. In the winter, we'd go sledding, tearing down the steep slopes with the other kids. I went to my first concert there, Ziggy Marley and the Melody Makers. In middle school, my friends and I spent long summer days mountain biking in the park's miles of trails. And in high school, I ran my cross country meets there. We used to boast that our course had the longest hill this half of the state. Today I still go back, to go on walks with my mom or to find some solitude on those trails. I consider myself to be fairly fortunate to have a place like Hartwood growing up, a place I could spend all day outside with my friends or where I could go to feel alone.

It's a sacred place for me. So this is just one story of one of thousands of county residents who use our parks each year. We need places like this. Where else can you go to get away from the city --- city streets and suburban development that cover most of our county. If you allow the drilling and fracking to happen underneath them, our parks will be impacted. That is not in question. There will be noise and stadium lighting, and there will be truck traffic in areas needed around the park.

There will be air pollution, diesel emissions and nitrogen oxides and volatile organic compounds, which provided more air pollution in a county which ranks among the worst in the country for air quality and where more than 11 percent of children have asthma. And we know what can happen, what's happening in countless other areas throughout Pennsylvania, groundwater contamination. Our own Department of Environmental Protection has documented this. According to DEP figures in 2010 and '11, six percent of well casings which are installed to seal off the gas from groundwater risk failed upon installation.

Of the 3,000 wells drilled that year, that's nearly 200 failures. These are real problems, air pollution and water pollution happening all over Pennsylvania. They are well documented and they are harming people. If you allow drilling and fracking to happen under the parks, you are putting people's health at risk. And please do not let Mr. Fitzgerald tell you that

the gas companies are going to drill there anyway, whether the county has to bid or not.

That's the same line that the industry gives every property owner in Pennsylvania. But industry talk seems to be the only thing to come out of Mr. Fitzgerald's mouth. These are actually the largest parcels in the county and that's what the gas company's after. These are the only viable places for the industry to drill, some of the only viable places in the county. So I urge you to vote for this moratorium and ultimately to pass legislation that bans drilling in or under county parks.

PRESIDENT MARTONI: Thank you.

(Applause.)

PRESIDENT MARTONI: Ronald Lynn Miller? Ronald Lynn Miller?

DR. MILLER: Dr. Ronald Lynn Miller, 40 Beltzhoover Avenue, 412-381-3753, founder of Global Intelligence Society, 2008. I am the Global Intelligence Society candidate for mayor of Pittsburgh, 2013. Any moratorium on drilling in the parks of the county must deal with the following 21 issues, together representing veterans of global intelligence.

1. Genetic mutations in the biohazard of the parks;
2. Degeneration of human and non-human brain systems;
3. Changes in incidents of psychological deviance;
4. Deterioration of the molecular relationships of biochemical and geochemical processes;
5. Confusion in the use of non-English languages with English, in understanding drill experts and expertise;
6. Confrontations between social groups, pro and con;
7. Outward vector forward and regressive vector backward analyses;
8. Aberrations in the intensity and duration of sound waves, which are public;
9. Tensions over whether economic benefits should be for all municipalities or for some, primarily where the drilling may take place;
10. Where subsurface, geological effects;
11. Questionable subfacial (phonetic) consequences on geography;

12. This affirmation that history has competing municipal claims regarding park use;
13. Distortion of the esthetic, the visual appearance of the parks;
15. (sic) Abuses of virtual artificial technologies and new ones to represent drilling;
15. Political party clashes and municipal government collisions over who's in charge;
16. Disruptions of the interfacial balance between the biosphere and lithosphere, leading to alterations, kinetic and dynamic physical forces;
17. Arguments over the epics of displacement, debasement and destruction of county ecology;
18. Resistance from religions, especially Native American institutions, on principles of use application and desecration;
19. Uncertainties in productivity often malady projections due to astronomical differences in the effects of solstitial and equinoctial variants;
20. The services of archaeological and/or skeletal remains; and
21. Immigrations from international corporate interests.

For each one of these issues, I'm connected to various societies; for example, the American Society for Microbiology, I'm a member. The American Chemical Society, the American Mathematical Society, Geological Society, the Association for the Advancement of Artificial Intelligence, the American Physical Society, the American Astronomical Society and 14 other societies. My network totals over 400,000 specialties, disciplines, for the material research on the science, and I can drink a beer on this issue. Thank you.

PRESIDENT MARTONI: Thank you.

(Applause.)

PRESIDENT MARTONI: Terry Supowitz? Terry?

MR. SUPOWITZ: Hi; good evening. I'm Terry Supowitz. I live, breathe and garden at 310 Hay Street, Wilkinsburg. My position I want to make very clear is, I don't think you should frack anywhere, ever. Right now, I want to thank Barbara Daly Danko for the moratorium. I think it's great. Slickwater hydraulic fracturing is only six years old, so the process really needs --- the way that it's used now, it really needs to be looked at. I'm thrilled that Barbara Daly Danko suggested stepping back

and looking at the process, maybe even doing some impact studies.

You realize, of course, that the State of Pennsylvania is the experiment. We are the impact study. That doesn't make any sense, if you really thought about it. And I want to remind all of you, like other people have, you know, the gas isn't going anywhere. It's going to stay there. So I urge all of you to vote for the moratorium. A reminder again about Dallas, Texas, known around the world for its ties to the petroleum industry has banned drilling in its northwest parts of the city on parkland and in the flood plains.

This is in Texas. Some facts that you should know; dangerous fracturing chemicals are kept secret. Big drilling companies don't have to disclose what chemicals they use in their fracking fluid. The mixture is a trade secret. Its effects on your health won't be secret, though, as independent analysts have identified 41 known chemicals in fracking fluid that are extremely toxic. You've also heard about the Halliburton loophole which exempts oil and gas from Safe Drinking Water Act and the Clean Air Act. Are there any laws that you are exempt from? As far as I know, there are none that I am exempt from.

This means that when folks go to their doctors with nosebleeds, headaches, dizziness and vomiting, it's very, very difficult for the doctor to determine how to help these patients. Natural gas is a clean fossil fuel is just a plain lie. It was published in a prestigious Journal of Science --- shows that methane is 105 times more powerful than carbon dioxide as a global warming contributor over a 20-year period and 33 times more powerful over a century.

The rate of leakage in these wells is anywhere from 3.6 to 7.9 percent of the lifetime of production. This means from 3 to 200 percent greater leakage rate than from conventional wells. U.S. shale gas and shale oil reserves have been over-estimated by a minimum of 100 percent and by as much as 400 to 500 percent by operators, according to actual well production data fields in various states; Deborah Rogers. Thank you.

PRESIDENT MARTONI: Thank you.

(Applause.)

PRESIDENT MARTONI: Joni Rabinowitz?

MS. RABINOWITZ: Hi. My name's Joni Rabinowitz. I live at 7721 Edgerton Avenue, Pittsburgh, 15221, and Barbara Daly Danko, I'm proud to say, is my Council member. I want to commend you for this wonderful bill you put forth. I want to say that I was shocked --- not shocked, but surprised to hear Rich Fitzgerald say that he was blindsided. Now I didn't know that Council members had to get permission from him before they put a resolution forth. It seems to be that he does that stuff. Not only am I glad that Barbara Daly Danko has stood up to him at this point, but I hope that every single one of you will and tell him he's not the person that makes your decisions for you.

I want to talk about two quick issues. One of them is, I came across an article the other day about a mortgage denial in Washington County. It was the first one in southwest --- not Georgia --- southwest Pennsylvania that was denied because they had a well next door. I'm passing out the flyers that are available. He was Ben Brian Smith --- Brian and Amy Smith who --- surprising, they're not bothered by the well next door to them. They're not bothered by the lights and by the traffic and by the dangers and by the noise. They're bothered by the fact that they can't get a mortgage covered. They can't get a mortgage loan.

And he comes to say, also, well, what about if I want to sell this property? Maybe interest in the ones that buy their property won't be able to get a mortgage. So there's something we need to think about, and I have the information here. The second point I want to make --- because I was talking with Johnny DeFazio at the Labor Day Parade, and I was mentioning issues about workers that are harmed. And I have here again an article that mentions just by chance, just a few --- about 15 accidents that happened in the industry in the month of August.

And this is only a small number of the ones that actually happened into them, the pipeline leaks, brakes don't hold on the hill and that person is hurt, dumping brine waste on 24 separate occasions into the Youngstown sewer, oil rig explosion in Texas, a massive fire, truck dumping brine water on a roadway, a breached frack pond. So I have this available for you, and you can see about all the accidents, just a few that I put together --- be quiet --- put together just ---. So I want to thank you and hope that you will vote in favor of the moratorium.

PRESIDENT MARTONI: Thank you.

(Applause.)

PRESIDENT MARTONI: Jennifer Valentino?

Jennifer?

MS. VALENTINO: Jennifer Valentino, 10 Denmarsh Street, Greenfield neighborhood, 15207. I came to thank you, Barbara --- Mrs. Danko --- for putting forward this. Obviously, there's a lot of concern about all the county-owned parks. It's undeniable that at least 41 of the toxic chemicals are identified and we don't know how many more. What right do you have to insist that somebody is allowed to put those in the ground knowing six of them will break upon installation, half of them down the road. I urge you to support the moratorium. Thank you.

PRESIDENT MARTONI: Thank you.

(Applause.)

PRESIDENT MARTONI: John Detwiler? John?

MR. DETWILER: John Detwiler, 5723 Solway Street. I live in Council District 11, and I'm speaking in support of my county councilwoman's proposal for a moratorium on fracking in the parks. I don't have very much time tonight, but that's what I'm going to talk about, time. I've been the owner of an engineering company and a business consultant. I've worked for the natural gas industry and for local government, and I've sat across from local government in negotiation. And I am on your side of the table, because we're all in this together.

The Executive's mind is made up. The deal for fracking in the parks has been --- had his name on it since before he ran for office. The only chance for real due diligence in the public interest is with this council, and you need time to do that. But others want you to feel rushed. They don't exactly lie, but they create the impression that those wells are ready to be drilled and that your gas will be left behind if you don't sign up right now. That's a false impression, negotiated for and worthy of a used car lot.

Do you remember that public meeting about the airport deal? And that's not been planned for fracking at the airport, CONSOL's representative said, just as nicely as could be. Well, we don't answer those questions until after we have a lease. That's how we do business. And somebody could have said --- also, just as nicely as could be --- well, it's the public's airport, and this is how we

do business in the public interest. The gas under Deer Lakes Park is not just incidental. The fracking company, is like the angry tenant for a shopping development.

There's a lease for that park. There are already leases in Frazer and West Deer, which suddenly could be worth maybe twice what they are now. And don't be lulled into believing that leasing the parks don't add any more wells. Those airport plans are still marked preliminary, but we have models at CONSOL, which will only pass 50 wells. If you transfer that ratio to Deer Lakes Park, you can expect over a dozen new wells to be drilled, a dozen more wells just to extract the gas under the park. And even if those verbal promises are kept about not drilling in the park, many more additional wells will be within that 300 yards. You'll be able to drive a golf ball from a well pad to the park. And this may come as a surprise to neighbors, but down in Forward Township, ETT (phonetic) is suing the county residents using the new Act 66 and leases from the 1940s and '50s, claiming the right to set up shop on private property without the landowner's permission, in order to frack under somebody else's property down the road.

If the county leases Deer Lakes Park, residents around the park may well have pads on their land drilling in the park, whether they want them or not. Visitors will make a gauntlet of pads, pits and pipelines just to reach the park? Once they're there, we can look for heavy metals in the water, say, arsenic in the fish in the lake, and flaring stacks lighting up the sky at night. Some are through the observatory. Don't take my word for any of this. Take your time. Do your homework. Watch and see what happens at the airport. Read those scientific reports on your desks. Hold a public hearing, and not just for the industry people. They have their own experts to listen to.

The gas has been there for 400 million years, and it will be worth even more in 2017 than it is now. Take your time.

(Applause.)

PRESIDENT MARTONI: Sarah Scholl? Sarah?

MS. SCHOLL: Hello. Thank you for your time. My name is Sarah Scholl, and I live at 5302 Overlook Glen Drive, Pittsburgh, PA, 15236, the South Hills. I'm here to support Ms. Daly Danko's ordinance proposal. I'm sure you agree with me that this is not a decision to take

lightly or to make quickly. And I've heard members of Council say that a careful approach is needed, and this will allow you the time to do what you will, due diligence to do that and, in fact, you do need time.

However, in a recent Post-Gazette article, I saw that Allegheny County Executive, Rich Fitzgerald, said that he would like to begin drilling within four to six months. This was an article posted about two weeks ago. He made it clear, though, that Range Resources isn't rushing him. His quote was, my senses are very selectable, he said. They understand the sensitive nature of the project. Here the County Executive sounds to me like more of a spokesperson for the fracking industry than for the people in this county. I question where this timeline would come from, and I hope that you do, as well. In addition to this, the company actually pushing this timeline does sound like the previous speaker mentioned. To me he just wants to get you degassed as soon as possible and without having the time to put a complete exam in, whatever promises of --- you know, assurances of --- is it a harm or is it true or, you know, just to look into the many other reasons why this might not be a good deal. But this classic sales packet and deception reminds me of somebody that's coming up and saying, what can I do to put you in a car today?

So Executive Fitzgerald may be saying that to you. I hope you realize this is a sensitive matter and it does warrant your time, that these are our parks and our communities, and we're counting on you to make a decision for our --- you know, on behalf of the future generation. I also want to share just a few quotes from an article that we gave to you previously. It's by the National Parks Conservation Association, and it's from the Seneca Park Research. It's a pretty interesting article and it examines the damages that fracking has or is expected to do in six national parks.

On the subject of air pollution I pulled from this, visitors heading East from Glacier National Park encounter road signs that are positive for poisonous gases that fracking operations emit. On water contamination they say, a Duke University research group proposed that geologic fissures between the deep shale and shallow layers of groundwater may provide conflicts of toxins that may threaten people and wildlife. And in fact, they go on to say, mounting evidence suggests that surface waters

contaminated by fracking could harm domestic animals and those toxins seem likely to impact national park wildlife as well.

On the importance of caution, they say, these early indications of harm to America's natural resources and natural parks suggests a careful considered approach tied to all fractured relevant brine, complicity in the ridges. The mandates of a precautionary principle designed to err on the conservative side of any potential ---. The state principles should be applied to fracking activities on lands adjacent to our national parks. We believe that this applies here as well, and we hope that you will read and consider this. Thank you.

PRESIDENT MARTONI: Thank you.

(Applause.)

PRESIDENT MARTONI: Stephen Serafino? Stephen, are you here? Okay. Paul Heckbert? Paul Heckbert, are you here? Jump up.

MR. HECKBERT: I'm Paul Heckbert. My address is 104 Washington Street, Edgewood, 15218. Fifty (50) or 100 years ago, Pittsburgh had a reputation as The Smoky City or Hell With the Lid Off. People were mining coal in Mt. Washington. Our rivers were dead because we used them as sewers. Trees on our hillsides were cut for firewood, or they barely grew because of the sulfurous air pollution belching from the steel mills.

Boyce Park and Settler's Cabin Park had strip mining. Millions of people who might have moved to Pittsburgh chose not to because of the area's reputation for pollution. Fast forward to today. Pittsburgh has cleaned itself up. People are fishing and water skiing on our rivers. We have bike trails along the rivers where people bike and walk. South Park attracts mountain bikers. Boyce Park has a ski lift. Settler's Cabin Park is treating its acid mine drainage and is creating a new Pittsburgh Botanic Garden.

Our city's air is now cleaner than it used to be. We're no longer The Smoky City, we're now one of America's most livable cities. My question to you, do we want to give that up? Do we want to go back to the bad old days? Allowing fracking in our parks would be a return to the policies that made Pittsburgh a dirty city a century ago. During drilling, trucks would take over our roads. After drilling, we'd have condensers at the well pads emitting toxic organic compounds into the air over

our neighborhoods. Frack wastewater could leak from surface impoundments and leak from faulty well casings and make its way into our streams and rivers.

So we must say no, no fracking in our parks. Our parks are not industrial zones. Our parks are parks. Thank you.

(Applause.)

PRESIDENT MARTONI: Thank you. Jason McCullough? Jason McCullough? Okay, Jason.

MR. MCCULLOUGH: Hello. Jason McCullough, 520 South Murkland Street, Pittsburgh, 15208. I've come here to ask you to vote in favor of the proposed three-year moratorium on fracking in our county parks. You do not know enough to state that the benefits outweigh the costs. And it is probable that the costs vastly outweigh the benefits. You will find when negotiating drilling leases, that industry will refuse to sign an agreement which states that their obligations include full financial responsibility for the risks. Their financial backers and insurers will also refuse this responsibility. They know that the true cost of the risks clearly outweigh the profits. Since they refuse, why should this council force upon us, the citizens of Allegheny County, to fully assume the responsibility and consequences of these costs and risks.

When the Pittsburgh Water and Sewer Authority is forced to switch from chlorine to chloramines, who will pay to switch out all our existing water pipes that contain lead? There are many. Or should we just accept lead poisoning as an essential cost of energy? If PWSA does not make such a switch, then the bromides from the fracking process continue to react with chlorine to form powerful carcinogens in our drinking water. Who will pay to compensate for the increase in cancer risk? If either of my children dies early from thyroid cancer, more power to any of you on this council to have to compensate for lead.

There will be additional cancer deaths in Allegheny County if you allow additional fracking. That's your facts. They don't change the beliefs, intentions or original thinking. But if additional methane and chemicals are inevitably found in the groundwater, either immediately after drilling or 30 years hence, of which time the casing of 1/2 of all wells fails, who can fix it? Who will pay for it? This type of damage is permanent.

Will you sign --- will industry sign a lease that will pay such damage in perpetuity? As they do today, the industry will say it can't be absolutely proven that the poisons in the water table are due to their activities, if they will continue to refuse to include tracing elements in their chemical mix, so that the truth can actually be determined. Will you force this obligation upon them? Good luck. Thank you.

PRESIDENT MARTONI: Thank you.

(Applause.)

PRESIDENT MARTONI: Jennifer Myers? Jennifer Myers?

MS. MYERS: Hello, everyone, again. First, Councilwoman Danko, I want to congratulate you. Thank you for proposing the three-year moratorium on any drilling in the county parks. I'm sorry; Jennifer Myers, 5431 Carnegie Street, Pittsburgh. You know me by now. Thank you.

MR. ELLENBOGEN: I grew up down in that area. That's how I know ---.

MS. MYERS: What's that?

MR. ELLENBOGEN: I said I grew up down in that area.

MS. MYERS: Okay. It's really --- thank you so much. It really means a lot to all of us. It's a huge step in the right direction, and I encourage every single one of you to vote for it. It would be --- we are all behind you on this. We all want this. This is what we know; this is what we want. It needs time. As everyone else has said, the gas is not going anywhere. It will be there in three years if you choose to drill then. It will only be worth more at that point. It's evident that our County Executive, Rich Fitzgerald, is a tool of the industry, a man not to be trusted.

It's unfortunate we need to protect ourselves from him, that it's truly hard to feel that his best interests are not ours. He seems not too concerned with the legality of this issue. We still don't have an answer on the simple question, who owns the gas rights to the public land and is it even legal to drill? This is something that Ms. Heidelbaugh brought up a meeting or two ago, and I replied to her to thank her for it. And she has told me that she brought it to the County solicitor, and now we're waiting for the response.

However, it seems incredible to me that we still don't really know the answer to this important question, so how can we even be talking about drilling our land if we don't even know if it's legal. I'd like to spend my last minute or so speaking from the perspective of Louie Allstadt --- you may have heard of him --- the former vice president of Mobil Oil Company. He ran the company's exploration and production operations in the western hemisphere for 31 years. And there are few people in the world who can explain gas and oil drilling with as much authority as him.

I'm reading --- speaking from an interview, which I e-mailed all of you today instead of printing it out. He has since come out against fracking, which he calls conventional drilling on steroids. He moved to New York State in 2000 to retire and watched the state planning to frack underneath a lake right next to where he was living, which was also being used for fresh spring water. The regulations at that time in New York were just horrible, much like they are still today in Pennsylvania. He explains that the section on the EPA study in 2011 that indicates fractures caused by fracking progressed in unexpected patterns and at greater lengths than expected, were left out of the final New York State Environmental Conservation Guideline Study.

The facts are that methane migrates and we don't know how much, we don't know in what direction and we don't know for how long, but it's definitely moving. The industry is able to bury the truth on fracking. They don't want the facts to become known, because there is so much to ask. I ask you to ask yourselves honestly, is this something we want for our parks? Thank you.

(Applause.)

PRESIDENT MARTONI: Hazel Cope? Hazel Cope?

MS. COPE: My name is Hazel Cope, 918 Osage Road, Pittsburgh, 15243. I've come to speak to this from the point of view of the parks. I won't talk about chemicals and things, but I think the natural world is to be respected, and I just flew across the country, our area, recently. There are plenty of wells and plenty of containment pounds all around. We really have to take our time on this and find out what is happening to the ones that we have, before we go into another.

I'm proud of the parks that we have in our county. They're wonderful, and they're terribly

important. They shouldn't be violated. They shouldn't be disrespected unless it's something a lot more vital than extracting gas, which is being extracted everywhere. I'm also a nurse, and I know it's been totally proved --- when they build hospitals now, they make sure that patient rooms have a window. If they have a window, the patients spend less --- they heal quicker. They spend less days in the hospital than if they don't have a window.

And if that window looks out on the natural greenery, on trees, on grass, they spend even less days in the hospital. But trees and grass and air and birds are valuable and they're healing. They're important for us. I feel that if we allow drilling and fracking near our parks, we're disrespecting those parks. We're spoiling them for our grandchildren, for who's coming. These parks have been stretching for years in various ways. Let's resist this last way and keep them as good as they are. Thank you.

(Applause.)

PRESIDENT MARTONI: Thank you. Kim Eichenlaub?  
Kim Eichenlaub?

MS. EICHENLAUB: Here. Kim Eichenlaub, 219 Arborwood Drive, in Gibsonia, 15044. I'm very much in favor of the moratorium. I'm an attorney on Gib's Council. The time to revisit this issue, to conduct a thorough cost benefit analysis of this situation and to monetize potential if when scenarios posed by questions such as, how much of the revenue expected will come from royalties? Will the county be expected to pay certain fees and expenses in order to receive those royalties, as more and more leaseholders are, down the road. Royalties, of course, have guarantee they can end abruptly; if production drops off or if the wells cap for any reason, including market fluctuations.

And remember, we're --- in fact, we're all being expected to pay higher gas bills if it goes to a seaport to export most of this stuff. Anyway, what costs, what hardships could fracking pose for the county, the municipalities and the citizens who live or work near the parks? What financial and ethical responsibility would Council have, Council having authorized and signed the lease, hold with regard to, say, property damage, with the seismic testing done to foundations, devaluation of homes near fracking, forest operations?

I'm most familiar with North Park and Hartwood Acres, and I know these are bordered by most/all high end residential developments. What about real estate taxes, if and when these homes' values plummet due to fracking? Are you going to have to get into a appeals process for this? What will you tell property owners who can't obtain bank financing or insurance on their property located near fracking, even if the fracking isn't on their property but just nearby; the two-lane roads surrounding the parks, the 24/7 tanker traffic? How do you keep those roads open and navigable for citizens? How will safety be impacted?

Will ambulances be delayed? Who will pay for the frequent road repairs? What other projects might be neglected as a result? Speaking of ambulances, who will pay for additional training to prepare persons to rush into explosive situations and gas spills that we're seeing more and more of in the tri-state area? Will water contamination, the accumulation of radioactive waste material and increasing air pollution deter tourism? Will they affect food supplies? Could people be poisoned by eating fish caught in the park? Will additional water testing measures have to be implemented, and how would you know what to test for? Can parkland leased for drilling ever be returned for recreational use or natural habitat condition? That's what parks are for, after all. I urge you to use part of the moratorium time to explore solar initiatives. Avoid the potential hazards associated with fracking. Implement solar, self-powered actual power companies, and use that revenue to maintain the parks.

(Applause.)

PRESIDENT MARTONI: Thank you. Barton Kirk? Barton Kirk? One more time, Barton Kirk? Elissa Weiss? Elissa Weiss? Elissa?

MS. WEISS: Hello. My name is Dr. Elissa Weiss. I live at 134 Dennis Drive, in Glenshaw, PA, 15116. I would like to thank you for your diligent attention to the public comment on this issue. And in a previous meeting, I expressed my concerns about my opposition to the current practice of fracking, particularly in or around our populace county and our public parks. Many here and in previous meetings, including myself, have described and discussed the fracking process, and assigned two undeniable reasons to conclude that fracking is an alternative practice. It's potentially and actually

universally damaging to our health and to the critical parts of our environment that help sustain life.

I refer to my previous testimony for information on resources and, of course, to many others who have significant documentation of their information, as well. I'd also like to reiterate the definition of PSR's position on this issue that was on the sheets that I handed out to each member of Council at the last meeting, which indicated that Physicians for Social Responsibility, which is a natural organization, which is a branch of the International Physicians for the Prevention of Nuclear War, was awarded the Nobel Prize for Peace, has indicated that because of the lack of sufficient knowledge to ensure safety to human health and the environment, that there should be a moratorium on fracking until we have more investigation and better information about the effects of this process. I would also like to thank Barbara Daly Danko for proposing her moratorium. And I certainly suggest that it should be given extremely serious consideration by all in Council. Thank you very much.

PRESIDENT MARTONI: Thank you very much.

(Applause.)

PRESIDENT MARTONI: Jonathan Dana Sperry?  
Jonathan Dana Sperry?

MR. SPERRY: Hi. My name is Dana Sperry. I live at 4086 Howley Street, Bloomfield, 15224. I'm strongly urging that you --- for a moratorium. And I have a lot of specific points, but the one thing I wanted --- before I lived in Bloomfield I lived in East Texas where they rush into doing these things and they really don't care. I met a man. His well was --- gas had leaked into his well. He got leukemia. He sued Exxon. He won, and then he died three months later. So --- because they rush in and they didn't ---. And I just want to warn you to, like, take your time. Again, it's not going anywhere. Its value isn't going anywhere. So take the time to know what you're doing before you rush into it.

And his story was not unusual. There's a park in Louisiana called Cancer Alley, because they just --- all the waste --- it's dumped into it. And so I've heard you, so take your time and do it right. All in all I would say not to do it but at least take your time. There's no rush to do it. Thank you.

PRESIDENT MARTONI: Thank you, sir.

(Applause.)

PRESIDENT MARTONI: Peri Unligil? If I mispronounce it, please correct me.

MS. UNLIGIL: I'm Peri Unligil, 210 Sunridge Road, 15238. I'd like to add another comment in support of Councilor Barbara Daly Danko's proposal for a three-year moratorium on fracking in our --- in the parks. According to the air compare function of the PA website, Allegheny County had 42 days in 2012 in which its air was unhealthy for outdoor activity. As a physician working in the field of internal medicine, I recommend exercise every day to my patients and will often hear from them how they start walking, running or otherwise exercising in one of the many county parks.

My big concern is if fracking were to begin --- fracking initially were to begin in one of the parks, the air systems would be unhealthy for even more days per year, which we cannot afford. Please pass a three-year moratorium on fracking and help the county residents continue to seek air in the parks, and improve health. Thank you.

PRESIDENT MARTONI: Thank you.

(Applause.)

PRESIDENT MARTONI: Douglas Shields? Mr. Shields? Douglas Shields? He's here; I see him. Okay.

MR. SHIELDS: Good evening, esteemed members of Council. Thank you for your consideration of our comments today on the bill that is being introduced for a moratorium, three years of what's called a hold. That's what the bill says, hold moratorium; a rose would smell as sweet by any other name. As was pointed out, the materials in the ground is not going anywhere. The Allegheny County Executive and the drillers say that they have to have a decision by the end of the year. No, they don't. They don't dictate the terms, the governing body does.

There's no rush whatsoever. The only deadlines that I see are artificial and put forward by those that have a pecuniary interest in this and no interest at all in the health, welfare and safety of those you're in charge to look after in Allegheny County, including myself. There's a line in Machiavelli's, The Prince, and he was advising on going to war. And he said, the Romans found themselves to be prudent and virtuous; to defer war by the day was to give the enemy the advantage. But we men of war learned at times know that time is an ally in

all things. Time is your ally in all things. Take the time.

There is a bit of a war going on. It's a struggle of war for the hearts and minds of the people, as to what's our energy policy going to be. We need this, we need that. Pressing decisions have to be made, but we know. We, the people, more learned at times, know that time is your ally in all things. To embrace a three-year hold on this decision is a wise course to go. You can't sit here and say, we all collected; we know everything there is to know. So now you have some time. It's a great out, politically, practically and any other way.

There were some members that have expressed that they're not happy about some of the comments about people being threatened. Well, look at it from this end. We're being threatened, our home, our welfare, our safety, is being threatened.

(Applause.)

MR. SHIELDS: These are our parks. They're held in trust by you. And you have far and away too many questions on the table to make any decision now. The Pennsylvania Supreme Court, what's the zoning law right now? Who knows? What's the new regulatory scheme in Pennsylvania? Who knows; they just put out a comment. Has anybody read them? Are we, as a local government, prepared to comment on these new regulations? Has the task force by this county been informed to look to our interests? I would implore you to do so. The Pennsylvania State Constitution, in Section 27, you're a sub-division of the Commonwealth. These are places held in trust for the people's use and enjoyment from now and generations yet to come.

That's what the Constitution says. Think about that. Take the time to understand what these ---. We all know what the Second Amendment means, get your gun. What does the 27th amendment mean in the Pennsylvania State Constitution, Section 12, home rule; the powers to negotiate or execute a land transaction by the county are accepted out of his powers. And I read the Charter, and they're given to you. This is your call. What does all that mean in context? I'm not quite certain. But if somebody would read that Charter that the citizens voted on and took the time to give the powers, to make contracts, negotiate deals to the County Executive except for ---. So I encourage you to mull it over. Take your

time. Let time be your ally in finding out what you need to help govern this county. Thank you very much.

(Applause.)

PRESIDENT MARTONI: Thank you. Robin Clarke? Robin Clarke? Robin Clarke? Okay. Tim Ludwig?

MR. LUDWIG: Hi. I'm Tim Ludwig, 18 Greismere Street, Etna, PA, 15223. I'm here to support Councilwoman Danko's hold on drilling in our parks for three years. I'm sure most of you watched the beginning of that horrible Steeler game on Sunday. One of the first commercials was from energyfromshale.org. This commercial featured a woman speaking that industry has studied fracking; and not to worry, it is safe. They direct you to their website to learn more about how safe it is. On their website they discuss six topics of their environmental commitment; water use, groundwater protection, wastewater management, air emissions, site construction impacts and fracking earthquakes. It is very interesting to see what the industry that you have already signed a contract with at the airport and are thinking about signing another contract with, has to say. Under water use, they say they work with local water planning agencies and the public, to ensure that oil and gas operations do not disrupt local community water needs. I guess Texas is a fluke, because right now 30 towns are expected to run out of water by the year end. Under wastewater management, they say that sometimes they deliver the wastewater to water treatment facilities, where they treat to remove the pollution and achieve all regulated specs and then the discharge.

Since 2009, the industry has known that wastewater is radioactive, and they're bringing in two plants that they knew could not treat it properly. Since 2009, they have known this and have chosen to ignore it. Their own studies show, quote, radioactivity and drilling waste cannot be fully diluted in rivers and other waterways. Currently, parts of the Allegheny County --- sorry. Currently, parts of the Allegheny River bed are radioactive.

In air emissions they say sources of potential air emissions associated with hydraulic fracturing are temporary in nature and, with proper safeguards in place, pose no threat to the local air qualities. This is one of the most laughable claims, because they include a link on the page to a site that says tanks which are temporary

have the greatest risk of releasing from toxic pollutants. Air quality studies are continuously pointing to fracking as a major cause of air pollution. Look to Wyoming, where the smog is worse than Los Angeles.

Did they mention that, Councilman Drozd, when you toured the national parks in six days? I don't know if you went to Wyoming, but the smog is worse than Los Angeles. There in that outdoorsy state, residents are suffering from watery eyes, shortness of breath and bloody noses. Who knows what else they'll be suffering from in the years to come. Every councilman has an area in their district, including mine in Mr. Burn's district, where you can go and look over a large area and see the city or see a large forestry. Will that be there in years to come, with the smog?

Under site construction impacts, they suggest improvements --- upgraded improvements to roads that will be traveled frequently. They do not mention who's paying for it. In Texas, they are turning paved roads into gravel road, because they cannot afford to fix the damage done by the trucks. It is an estimated one billion dollars a year to maintain or repair the roads used by tankers and trucks. Lastly, they asked, can fracking cause earthquakes? They may guess, but it's in there small, never caused any damage. I guess they chose to ignore the suit that they just said in Arkansas, that caused damage to homes from over 1,000 earthquakes in 2010 and 2011.

This is the industry that you already signed the contract with. This industry has great commercials telling Steeler fans and the rest of the public, that it's totally safe, believe us. Please, don't fall into the multi-million dollar PR lie campaign, and look for the truth and support Councilwoman Danko's three-year hold on drilling in the parks. And I'd ask you not just to limit it to our parks, but let's expand it to the whole county.

PRESIDENT MARTONI: Thank you.

(Applause.)

PRESIDENT MARTONI: Pia Colucci?

MS. COLUCCI: Hi. I'm Pia Colucci, 4725 Wallingford Street, Pittsburgh, Pennsylvania. I want to thank Councilwoman Daly Danko for proposing the three-year moratorium on fracking in our county parks, and I'm so proud that she is my councilwoman. I sincerely hope that the rest of the council will see fit to support that

moratorium, as it is our only hope for our county parks. I'm a realtor, many of you know by now, so I talk about the land and property. The parks border Frazer and West Deer --- currently that particular park in Deer Lakes; and currently there's five properties that are contingent status, meaning that the sellers have accepted an offer and are going through the inspection process. And there are 15 active properties in the two areas, as well.

A few of those are very close to the park. This is an illustration (indicating) from multi --- the multi-list. I think that it's prudent to write to these property owners, as well as all the residents of West Deer and Frazer, alerting them to the upcoming decision that the council is forced to make, allowing fracking under our parks. I mentioned, not many of them know of this impending event. On the West Deer Township home page, I found the following paragraph that read, welcome to the official website of West Deer Township. We boast an amazing place to live, work and play. First off, West Deer is scenic. In an age where everything is a concrete jungle --- they have the quotations --- we are still very green. There are vast fields, farms and woodlands that make up our beautiful township. We have huge parks with recreational activities available to our wonderful citizens; of any age, too. Frazer Township's home page is very simple. They announce, a small rural community with a population of 1,157 people, located approximately 30 miles North of Pittsburgh, PA. Home of the Galleria at Pittsburgh Mills Mall.

Neither of these paragraphs speak of the industrialization, of heavy equipment, the traffic, the noise, the water and air pollution and the devaluation of the residents' homes that will result from ever-increasing fracking. So I understand that their township officials are worried about the profits; it's more money in their coffers by allowing drilling. So it would appear that the only way to combat this tragic drilling of our parks is to count on you, our council members, to put a stop to it and alert the citizens, as well, of this impending disaster and collateral damage that will ensue.

I find it very difficult to understand, after all that the council has heard from us with hard data, facts and figures, that any of you could possibly want this for our land. If you do, I wonder where on earth it is that you live, because are you insulated from these

ecological disasters? As nearby as Butler, there's communities that have no clean water to drink because of fracking. Are you prepared to make that same decision for many of the residents near the county parks? Please tell us what it is that you don't understand about the effects of fracking, and there are many people in the audience who are experts that we have.

Do not --- do not succumb to Rich Fitzgerald's threats to make a decision now. Please follow Ms. Danko Daly's lead and put a moratorium, at least three years. Thank you.

(Applause.)

PRESIDENT MARTONI: Thank you. Donna Fisher? Donna? Donna Fisher? Donna, are you here? She couldn't answer if she's not; right? Okay. That ends our first ---.

AUDIENCE MEMBER: Did you call Deborah Moss?

PRESIDENT MARTONI: No, I didn't, because I have a note that she was not here.

AUDIENCE MEMBER: Okay.

PRESIDENT MARTONI: So that's why I didn't. Thank you.

AUDIENCE MEMBER: All right. Okay. Committee on Appointment Review.

(Outbursts from audience.)

MR. CATANESE: Non-agenda.

PRESIDENT MARTONI: Wait. We have two --- agenda items are first and we have non-agenda following this. Okay? So if you signed up, I assume it's non-agenda, because I just went right down the list. I didn't make it.

AUDIENCE MEMBER: There's some confusion amongst people. You sign up for an agenda or general speaking portions of the meeting? How many who haven't spoken yet signed up intending to speak about the moratorium?

(Show of hands.)

AUDIENCE MEMBER: Okay. All right. May they speak now?

MR. FINNNERTY: Who's in charge of this meeting?

PRESIDENT MARTONI: If you signed up you're one to follow. Thank you very kindly, though. Thank you very kindly. Committee on Appointment Review. Anyone that signed up is going to speak, okay, as soon as these ---; you know, it's just a process here we've been following for the last 14 years. I'm not going to deviate tonight.

But thank you for your cooperation. Committee on Appointment Review, Second Reading. 7707-13.

MR. CATANESE: Approving the appointment of Thomas E. Donatelli, to serve as a member of the Allegheny County Port Authority Board, for a term to expire on September 17th, 2015. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. Macey?

MR. MACEY: Thank you, Mr. Chairman, and members of Council. I was asked by Chairman John DeFazio to chair this meeting in his absence. The committee met on September 5th, and those in attendance was Councilwoman Harris, Councilwoman Heidelbaugh, Michael Finnerty and myself. As far as 7707-13, it was moved by the full --- by the committee to the full council with an affirmative recommendation. Therefore, I make that motion.

MR. ROBINSON: Second.

PRESIDENT MARTONI: We have a motion and a second. Question?

MS. HEIDELBAUGH: Discussion.

PRESIDENT MARTONI: Question; go ahead. Go ahead.

MS. HEIDELBAUGH: Yes, thank you, Mr. President. As Chairman Macey stated, on Thursday at 4:00 p.m., I attended this Appointment Review Committee. Mr. Donatelli appeared and made himself available for questions in regard to his nomination by the Chief Executive for the Port Authority Board. The composition of the Board of the Port Authority is extremely important for many self-evident reasons. We've had chronic long-standing problems with funding and service. Some of the neediest constituents in Allegheny County are in the most need of reliable and available bus service.

The director of the authority, who reports to the board, must face chronic funding problems, work with state legislators on long-term solutions and have a distinguished background in complex transportation issues. As we all know, the Port Authority, in 2010, was in the hole on operating deficit to the tune of \$41,000,000.

MR. MACEY: Point of Order, Mr. Chairman.

PRESIDENT MARTONI: Yes.

MR. MACEY: We do have a committee process, and I certainly respect Councilwoman Heidelbaugh ---.

MS. HEIDELBAUGH: Then don't interrupt me.

MR. MACEY: I'm not interrupting you. It's a Point of Order; personal privilege, Point of Order.

MS. HEIDELBAUGH: When I'm finished. I've been recognized by the president to make a comment, and that's what I'm doing.

MR. MACEY: But you're trying to circumvent the committee process.

MS. HEIDELBAUGH: No, I'm not; no, I'm not. I'm having --- we're having a discussion on the vote. President Martoni, may I discuss the vote?

PRESIDENT MARTONI: Please discuss it, and let's get past this, please.

MS. HEIDELBAUGH: Thank you. I asked to be recognized by the Chair to ask questions in regard to this very important appointment. First, I asked Mr. Donatelli if he had been presented with a resignation letter by the Chief Executive in his prior tenure on the board and if he had signed one. He indicated that he had, and he indicated that agreeing to resign from an independent board position in advance of being appointed, presented him with no end number. Second, I asked Mr. Donatelli if his current employer had any business with the county and/or the Port Authority, which he believed would jeopardize his independence in the board. He indicated that his employer did have business with the county, and his employer intended to bid on business with the Port Authority. Third, I asked him if his tenure as the Director of Public Works qualified him to serve on the board; in other words, was his tenure such that he had performed well in the position and if others thought he had performed well. It was at this point that Councilman Finnerty objected to my question and then stated, and I quote, that any question about Mr. Donatelli's service as the Director of Public Works, was irrelevant to whether he should be appointed to the Port Authority Board.

Councilman Finnerty's objection was ruled on by the Chair, and the Chair, Mr. Macey, disallowed my question. First, I call upon President Martoni to defer this vote tonight, to prevent this body from being irrelevant. The entire reason for being in front of the Appointment Review Committee, is to review the qualifications of those whom the Executive nominates. I want to talk about our role here on Council. We are not a rubber stamp. We are a co-equal branch of the Home Rule Government. Without our review and approval, a nomination by the Executive is just that, a nomination. It is the Council who appoints.

And only the Court of Common Pleas, in most cases, can remove an independently appointed member of the board. If however, this Council desires to engage in what I would term a charade, in which nominees are brought to the Appointment Review Committee and rigorous questions are not allowed of the nominee, then in the body, why not by majority vote don't we just do away with the Appointment Review Committee? Put the sum total of the rigorous questions before these powerful nominees and for powerful boards that spend billions of dollars to state your name and address.

If President --- if you, President Martoni, are inclined to defer this appointment, then I wish to speak to the merits of the appointment. I will not vote for anyone who signed an undated letter of resignation. This issue is not over merely because the Chief Executive decided to throw them away. The issue remains as to the independence of a person who has signed such a letter. I have questions about the ethicacy of his tenure as a Director of Public Works and whether Mr. Donatelli is the best choice for this independent board. Mr. President, I ask that you defer this appointment, that you send it back to the Appointment Review Committee and that we be allowed, as the Council, to fully vet that --- this nominee.

MR. MACEY: Mr. President?

PRESIDENT MARTONI: Yes. Yes, we had a motion and a second.

MR. MACEY: Since Councilwoman had her opportunity to speak ---

PRESIDENT MARTONI: Yes, she did.

MR. MACEY: --- everybody else should have the right, and I would like to have that.

MS. HEIDELBAUGH: And I would like --- and I would like to interrupt him, as well, on the appointment.

PRESIDENT MARTONI: Thank you.

MR. MACEY: Appreciate it.

PRESIDENT MARTONI: Go ahead.

MR. MACEY: Anybody could take these appointments and grandstand like my colleague. Those questions that she mentioned were asked at that meeting. There were four of us there. And Ms. Heidelbaugh, very educated --- and I respect her education and I respect her abilities --- knows how the process works. She could, at that meeting, state to have her questions answered and her

continued questions be answered. All she had to do was ask for a vote of the committee there.

I think Ms. Heidelbaugh knows what she's doing. And there's a television camera up there, and she's taking advantage of that by grandstanding on this issue. Now, Mr. Donatelli --- Mr. Donatelli has 16 awards in his occupation in engineering and also belongs to 8 professional organizations. Mr. Donatelli isn't a fly by night. And in many cases, Ms. Heidelbaugh, herself, had to abstain from certain issues and votes because she had business with firms representing Allegheny County.

So you know, let's call this what it is. And I think that we should move forward, and I call for a question on a motion.

MR. ELLENBOGEN: Mr. President, I have a Point of Order.

MR. DROZD: Yeah, we ---.

PRESIDENT MARTONI: We have a Point of Order here.

MR. DROZD: Give him a chance to talk.

MR. ELLENBOGEN: Well, my Point of Order is whether anyone agrees or disagrees with Councilwoman Heidelbaugh. She did not relinquish the floor, and she has a right to speak. I have sat here for the last seven years, and I've heard people go on and on and on, with no reference to shut them up. I want to hear what she has to say.

PRESIDENT MARTONI: She did get to speak.

MR. ELLENBOGEN: No, she's not finished. She said she had more to say.

PRESIDENT MARTONI: I apologize. I thought I gave her a right to speak.

MR. ELLENBOGEN: No, you cut her off, Mr. President. And you know --- well, what I'm seeing here is, we're playing chess here, and the knight and the bishop are protecting the queen. And that's what's going on. I want to hear what she has to say.

PRESIDENT MARTONI: Well ---.

MR. ELLENBOGEN: And she has a right to do it, because you tell me, there's nobody, including myself, who's gone on and on until we're finished. And I think that she has that right, and I'm ---. I'm not going to stand for it, maybe because she's a woman; I don't know. But I'm not going to sit here and let her be cut down because she has something she wants to say.

PRESIDENT MARTONI: Let me ask you, are you finished? I thought you were.

MS. HEIDELBAUGH: Well, thank you, Mr. Martoni --- President Martoni. You did not cut me off.

PRESIDENT MARTONI: Okay.

MS. HEIDELBAUGH: But I'm thinking my Council member is trying to allow me to be able to speak. I have, because I am in the minority, been cut off repeatedly in my tenure here, where others have been allowed to fully speak. My interest in this is two-fold. And Councilwoman Barbara Daly Danko and I usually agree about this issue, and that is process. My first complaint is process. The County Executive nominates, and that's it. We appoint; we appoint. No one can remove except upon certain --- very specific acts that's usually the Court of Common Pleas.

We represent 1.2 million people, collectively. We have the ultimate choice on who is going to govern the Port Authority. Now I can't make that choice, if I'm going to be stopped on question three, to determine whether 1 of 11 board members, who's going to spend a billion dollars to make sure that poor people can get to work, is qualified to hold that position. I will not participate in a body or a process in which I cannot speak for the people who elected me. And I don't care if you call me a grandstander or not. I will let the people in this room stand up here and make a point. That's what I was elected to do, whether you like it or not.

I don't think that we, as a Council, are asserting ourselves. I've said this over and over again. I don't think it is part of the integrity that we, as people, want to have, that we are not a rubber stamp. We are a co-equal branch of government. We have to engage in the process, and we have to have our voices heard. This isn't to cause trouble. This isn't to just be disagreeable. This is to do the right thing and make judgments. So I resent when I'm stopped in the question, and I resent when we race to the end. This should be a real review.

PRESIDENT MARTONI: I don't know who was next here.

MR. DROZD: I'll defer to the ladies. Ladies always come first.

MS. GREEN HAWKINS: Well, thank you; and thank you, Mr. President. With the revamping of the board that was done by the --- by legislators in Harrisburg and our

governor, there is an enumerated list of things that are required potentially for appointees to the board. So I do understand and respect Councilwoman Heidelbaugh's questioning of people who are nominated, about their qualifications. I think that the law is requiring that we make sure that they --- the skill that they have in order for us to appoint them. And while I will respect that, I will also respect her decision, perhaps, to vote no or saying --- or whatever she's proposing with regards to Mr. Donatelli, as well, because perhaps she doesn't have her questions answered.

So while some people may be questioning why she's asking certain questions, I'm just giving you that insight, that information, the law has changed, and so she's doing her job. Thank you.

PRESIDENT MARTONI: Okay. Mr. Drozd.

MR. DROZD: Yes, thank you, Mr. President. Being the most minority of minorities, the only independent on the Allegheny County Council, I'd like to say, I thank Councilwoman Heidelbaugh for bringing that out. It's something that I wasn't aware of; part of the committee process, the review process. And Mr. Donatelli, I'm sure he's a very competent and very capable individual. But he did answer the questions truthfully, one of which, we cannot possibly vote for him. He has a conflict, just for the mere fact that his company intends to bid on contracts with the Port Authority is a conflict. So we cannot --- we cannot in all good honesty vote for Mr. Donatelli or --- maybe, on another board, but not on the Port Authority, one board his company does not do business with. I implore my Council people to do what we have to do and we have to vote down Mr. Donatelli. Thank you.

PRESIDENT MARTONI: Anyone else? We're going to do a roll call. Oh, I'm sorry.

MR. ELLENBOGEN: That's okay. I just have one point. Anybody that knows, I was his, Mr. Donatelli's, chief of operations many years ago. And I don't necessarily agree or disagree with it. It wouldn't be fair or unfair to Mr. Donatelli whether I voted on this particular issue so I'm going to abstain just for --- because it's the right thing to do in this situation.

PRESIDENT MARTONI: Bill and then Mr. Burn. Go ahead.

MR. ROBINSON: I think an interesting point has been raised by Mr. Drozd. If, in fact, Mr. Drozd is correct that we should not be considering much less voting on Mr. Donatelli. I think it would only be respectful to suggest in some appropriate fashion perhaps through the president to the chief executive that he might have recommended someone to us who is ineligible. Not to embarrass Mr. Donatelli and not to continue maybe an argument and disagreement on our members, which is probably going to be embarrassing to each and every one of us.

PRESIDENT MARTONI: Bob?

MR. MACEY: Thank you. And with all due respect Tom Donatelli was actually brought to Chief Executive Fitzgerald through the Allegheny Conference. Under the new law which Councilwoman Harris mentioned --- I'm sorry, Councilwoman Amanda Green-Hawkins, I'm sorry, mentioned, there are separate organizations who have an opportunity to represent the residents on the Board; therefore, he was presented by the Allegheny Conference and I'm sure the Allegheny Conference did their due diligence as well on Tom Donatelli. And maybe I'm a little biased, and I'll be honest with you, because I did serve on the Public Works Chair as I currently do and I had experiences with Tom Donatelli and I found him very professional and was very good at what he did. And he's a very good Christian and an honest individual. Thank you.

PRESIDENT MARTONI: Okay. Mr. Burn?

MR. BURN: Yes. Thank you, Mr. President, members of Council. My point is two points. This Councilman needs to say there was a vetting process before the meeting brought to us and then there was a second to vetting process in committee. Any questions or concerns or issues that needed to be addressed there was certainly plenty of time to do it.

MS. HEIDELBAUGH: No, there wasn't.

MR. BURN: The third point is that if at some point there is a some type of an issue that creates a significant conflict or something that would require this man --- in fact, there's two opportunities to --- I've known him past 20 years, as a mayor, as a councilman, do the right thing. I'm going to vote for the appointment.

PRESIDENT MARTONI: Anyone else before we have a roll call vote?

MS. HEIDELBAUGH: Yes. I just want the record

to be clear, there was not an opportunity to fully vet his qualifications. I was asking questions about his qualifications. It was objected to by Mr. Finnerty and the Chair will be out of order. There was nothing I could do. I don't want the record to reflect that there was a full opportunity for this man to be vetted, nor was there any opportunity to ask the questions as my colleague has indicated that he qualifies for the new law, any expertise as stated in the law. No one asked those questions at all. The entire process by which he appeared in front of the appointment review committee would be a matter probably of record but I can't believe it was more than ten minutes, so that everybody understands this. Okay? So everybody can go ahead and vote, but let's just let the record be clear.

PRESIDENT MARTONI: Anyone else before we have a roll call vote? Roll call.

MR. CATANESE: Mr. Burn?  
MR. BURN: Yes.  
MR. CATANESE: Ms. Danko?  
MS. DANKO: Yes.  
MR. CATANESE: Mr. Drozd?  
MR. DROZD: Nay.  
MR. CATANESE: Mr. Ellenbogen?  
MR. ELLENBOGEN: Abstain.  
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. Harris?  
MS. HARRIS: No.  
MR. CATANESE: Ms. Heidelbaugh?  
MS. HEIDELBAUGH: No.  
MR. CATANESE: Mr. Macey?  
MR. MACEY: 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, 9; nos, 3 with 1 abstention, the bill passes.

PRESIDENT MARTONI: 7708-13.

MR. CATANESE: Approving the appointment of John L. Tague to serve as a member of the Allegheny County Port Authority Board for a term to expire September 17, 2015. Sponsored by the Chief Executive. Mr. Macey?

MR. MACEY: Thank you. The same members were in attendance and it was referred to the full Council with an affirmative recommendation; therefore, I make a motion to appoint.

MR. ROBINSON: Second.

PRESIDENT MARTONI: Move in second. Questions?

MR. DROZD: Question, sir. Thank you. Was anyone in attendance that asked this gentleman too, or did he respond he in any way was going to do business with Allegheny County Port Authority.

PRESIDENT MARTONI: Not that I can recall, sir.

MS. HEIDELBAUGH: I was there and I did not ask that question. I believe it's because he's retired.

MR. DROZD: He is retired? Thank you.

MR. TAGUE: I have a small consulting practice for Allegheny County Port Authority.

PRESIDENT MARTONI: Mr. Tague has been a long-time participant here. We have a motion and a second. Question? All in favor?

MS: Nay.

(ALL BUT MS. HEIDELBAUGH RESPOND AYE).

PRESIDENT MARTONI: Opposed? Go ahead. One nay. Thank you. 7709-13.

MR. CATANESE: Approving the reappointment of Stanley L. Gorski to serve as a member of the Authority for Improvement in Municipalities for a term to expire on December 31, 2014. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. Macey?

MR. MACEY: Mr. Chairman, the same individuals were at this meeting and this appointment was sent to the full Council with affirmative recommendation; therefore, I move this motion.

MR. ROBINSON: Second.

PRESIDENT MARTONI: Moved in second. Questions? All in favor?

(ALL RESPOND AYE).

PRESIDENT MARTONI: Opposed? So ordered. 7710-13.

MR. CATANESE: Approving the reappointment of Dennis Simon to serve as a member of the Authority for

Improvement in Municipalities for a term to expire December 31, 2017. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. Macey?

MR. MACEY: Thank you. The same four members were present and we moved to send this fully to --- send this appointment to the full Council with affirmative recommendation. I make that motion.

MR. ROBINSON: Second.

PRESIDENT MARTONI: Moved in second. Questions? All in favor?

(ALL RESPOND AYE).

PRESIDENT MARTONI: Opposed? So ordered. Committee on Economic Development and Housing, Second Reading, 7652-13.

MR. CATANESE: A resolution of the Council of Allegheny County, Pennsylvania, made pursuant to the Local Economic Revitalization Tax Assistance Act (LERTA) Pa. Stat. An. Tit. 72, Section 4722, 1995 as amended, providing for a program of temporary exemption from increase in Allegheny County Real Property Taxes for specified time periods resulting from improvements made by an owner of a property located within a specific geographic area within the City of Pittsburgh, County of Allegheny, Commonwealth of Pennsylvania, previously determined to be a deteriorated area establishing a schedule of exempting increases in Allegheny County property taxes resulting from such improvements; and prescribing the requirements and procedures by which an owner of property located within a deteriorated area can secure the temporary exemption resulting from such improvements. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Ms. Green-Hawkins?

MS. GREEN-HAWKINS: Thank you, Mr. President. In a nutshell, what Mr. Catanese was talking about is a process by which we're taking a piece of property, not taking in a government taking in a domain, but taking a piece of property that is currently not on the tax rolls, not getting any kind of revenue from it, and bringing it onto the tax rolls and giving a tax abatement for a period of ten years at which time the property will be fully taxed along with the improvements. And with that, I make a motion for approval.

MR. ROBINSON: Second.

PRESIDENT MARTONI: We have a motion and a second. Question? Roll call.

MS. HARRIS: Discussion.

PRESIDENT MARTONI: Discussion. Okay. When I say question, it's the same thing as discussion.

MS. HARRIS: I wanted to alert the public as to why I'm voting against this. I am very --- I've tried to really analyze these TIFS and in this case this is a LERTA. This particular case what we're going to be doing as a County is providing a tax abatement for ten years to the property which is currently owned by a church which would be tax exempt. The church has been renting the parking lot which should have been exempt receiving taxing on that. Number two, this development is going to be --- this is in the heart of Oakland. This is in an area very close to the medical complex. And when I asked the gentleman who's going to be building the building, there's going to be a commercial building that he's going to rent out to tenants and there's going to be parking. And the reason why he's asking for this LERTA he's building a parking garage. I asked that him would he not build this if it were not for the LERTA and I do not think that I received a straight answer on that. I am against providing tax abatements to commercial entities in areas in which there is no, what I think, a legitimate government purpose in not requiring a for-profit enterprise to pay taxes. So that's why I'm voting no.

PRESIDENT MARTONI: Anyone else? Yes.

MR. DROZD: Just out of my gratification, members of Council and those in attendance, am I correct in hearing that there would be part of this used for commercial, that it would be income from commercial as any for-profit would be?

PRESIDENT MARTONI: It appears to be a commercial property.

MR. DROZD: It is an office building. Where is this located specifically?

MS. HARRIS: In the build, there is a map. It's at the corner of Bigelow and --- Mr. Strul I see you hiding back there. Would you help me on this?

MR. STRUL: It's on Ruskin.

MS. HARRIS: Thank you. Page 14; right?

MR. STRUL: There's a map in there.

MS. HARRIS: It's Bigelow and ---.

MR. DROZD: Exactly what do these tell us?

MR. STRUL: Oakland.

MR. DROZD: Would this be qualified in the but for meeting?

MS. HARRIS: With a LERTA we don't ---.

MR. DROZD: Do you know what I mean. Would this be qualifying in the but for meeting, but for this LERTA this would not go forth?

MS. HARRIS: That's the language for a TIF I believe but no for a LERTA.

MR. DROZD: I know, but I just wonder if this was under TIFs it would be a but for meeting. I think this is really a gray area, is what I'm saying, I really do. In Oakland itself, Oakland is a very viable municipality. It's a generator. I mean, I'm sure something else would happen on that lot if it wasn't for this. It just gives me cause for concern. I know I want to be cautious. It's in Oakland. My God, Oakland is the hub of whatever. I don't know how we can do this.

PRESIDENT MARTONI: Jim?

MR. BURN: Madam Chairman, I have a question. When it comes to TIFs I'm generally for them if I see a benefit for the community whether it's a huge job influx or betters the community. I could be totally wrong on this but it appears to me that this benefits whoever owns the building. Can you shed some light on this if there's any more and I just don't see it?

MS. HARRIS: Well, then I'd be giving you just my opinion, the reason why I would be voting for it.

MR. BURN: And that's why I'm asking.

MS. HARRIS: I'm voting for it because like I said it's not currently generating any tax revenue in terms of property tax for the County. And if this developer gets to put these improvements on it, the property --- the land as well as the improvements will then generate tax income, tax revenue for the County. In terms of jobs, this is in a district in Oakland, I forget the phrase for the district but it's been identified as a place where this type of office would just fit in with the medical, medicine and the research and development taking place in Oakland. And with the things that are going on there, the developer sees a need for this building, for this office space, which he said would probably be filled with researchers, doctors.

MR. BURN: It would be a guy that owns a building is what I'm saying.

MS. HARRIS: Oh definitely, definitely, to the County at large.

PRESIDENT MARTONI: Anyone else?

MR. FUTULES: I'd like to ask Maurice to come forward. I think some of the members need an explanation as to exactly what the project entails. And also, the fact that the City and also the local municipality has already approved this project. And I'd like you to emphasize as to other things to the Council members who have questions.

MR. STRUL: The City of Pittsburgh has established LERTA districts throughout the city in areas where they think economic development needs to be spurred through an abatement enducement. They created a special category of LERTA, if you will, for a special economic development activities and projects that exceed \$1 million in size. So that legislation already exists. So this property already qualifies for their abatement because of this prior approval. The school district has already approved this on the basis of what comments were made earlier that the property is currently tax exempt not generating any income. And would be of benefit to the school district to help motivate this development. The project is described as an office building with 105,000 square feet. It was originally proposed to be under 140,000 square feet and with that size the project really wouldn't have needed any assistance but because of a reduction in size through a City Historical Review Commission the economics of building the same size parking lot for that size building no longer made it viable. The developer describes the gap of about \$4 a square foot in income stream as a result of that. And so he's saying that he needs some assistance with the capital costs, that's what this will contribute to.

PRESIDENT MARTONI: Thank you. Go ahead.

MR. FUTULES: Do you have statistics on what the tax would become? I see on the chart it shows in the first two years at 100 percent, it goes to 90, 80 and so forth.

MR. STRUL: The County's taxes based upon an assessed value of 19 --- just over \$19 and a half million with today's millage rate would be just over 92 and a half thousand dollars a year to the County. I'm sorry, \$92,500 after the abatement is finished. That is just on the building value. I also understand that the land is

currently tax exempt. As soon as this begins development and the property is assessed, the property value, assessed property value is not abatable and therefore, you get full tax on the value of the land under the lease agreement. Thank you.

PRESIDENT MARTONI: Mr. Drozd?

MR. DROZD: You answered most of my questions.

It will generate additional monies immediately within the first year after construction is completed; is that correct? The school district will benefit and the City will benefit in the first year more than what is there now?

MR. STRUL: Once it's assessed, then they'll get a tax bill, yes.

MR. DROZD: Sounds good. Thank you. You alleviated my concerns. Thank you, sir.

PRESIDENT MARTONI: Go ahead.

MS. HEIDELBAUGH: Yes. The reason why I'm concerned about these proposals is because what we seem to be doing as a legislative body is indicating that we're going to approve these and this is the statement that's often used. If we give a tax abatement to this project, it will then produce taxes in the future. Well, if we're going to use that as the guidepost, then what we should do to be fair is we should give a tax abatement to every single commercial property in the City and the County. We don't do that. We pick and choose winners and losers. So what we do is we give advantage to one commercial entity over another commercial entity. And that is not the governmental purpose.

Number two, when we abate taxes for a property that should have no reason to have a tax abatement we're going to make the poor constituents in this County pay more than they should. Because we're not going to be getting taxes from commercial entities. So in a sense, it's a corporate welfare. This is a direct contradiction to what it is that people think that they're doing. Everybody has to pay their fair share of taxes.

Number three, last point, when I questioned Mr. Strul on these items, he at least on TIFs, there is a governmental --- there is a code requirement that a property has to be deteriorated in order to receive this special tax incentive. And I asked him --- the Council went and toured a spot in Sewickley. And I said, you know, how is it deteriorated. And his response, and I'm

not quoting him, but his response has always been, I can get anything deemed deteriorated. That is not --- that is a subrogation of the intent of these tax deferments.

Now, we are going to be voting on another one in a moment. That's to provide infrastructure in a former steel mill site, a brownfield, in which no one would come in and touch the environmental disaster. So that is the proper purpose of government, to come in, resurrect land that nobody would use, to spend our collective tax dollars for the good of society. But I think we have to really, you know, be mentally reviewing these things so that we are not in a position of picking winners and losers in the commercial context.

PRESIDENT MARTONI: Thank you. Yes?

MS. GREEN-HAWKINS: Thank you, Mr. President. Mr. Strul, I have a couple of questions for you that the public may be interested in. Could you please approach? For a TIF, I understand that the government --- the law requires us to first have an area in need of redevelopment, that's for a TIF. We're talking about a LERTA. Is the language --- the statutory requirements for LERTAs, does an area have to be deemed an area in need of redevelopment, and if so, has this been deemed an area in need of redevelopment and by whom?

MR. STRUL: The law is slightly different between a LERTA district and a TIF district. The process under a TIF essentially is using a redevelopment law and you're creating --- a TIF essentially is a redevelopment plan specific to a piece of property. LERTA is a different kind of, piece of legislation. I'm not a lawyer so I'm not going to try to describe the difference but I can tell you practically the body that creates a LERTA district is a planning commission and the elected officials of the municipality in which it's created. The body that creates areas certified as an area in need of redevelopment typically is the --- we use RAC as our planning commission. And RAC is the body that certifies that after we get recommendation from the local planning commission and approval of that creation from the local elected officials.

MS. GREEN-HAWKINS: And so the City of Pittsburgh then would have ---

MR. STRUL: The City has created this.

MS. GREEN-HAWKINS: --- said that this is an area in need of redevelopment?

MR. STRUL: It's an area that needs tax abatement to help spur economic development.

MS. GREEN-HAWKINS: Thanks for helping me with that language.

PRESIDENT MARTONI: Yes?

MS. HEIDELBAUGH: This resolution states right here in the regular meeting agenda, it says previously determined to be a deteriorated area, that's what it says.

MR. STRUL: That's fine.

MS. HEIDELBAUGH: So what your department is saying is that that area in Oakland where all of the development is, that's a deteriorated area?

MR. STRUL: No. What we're saying is that the City of Pittsburgh has determined that that is a qualified area in the City of Pittsburgh.

PRESIDENT MARTONI: Please.

MS. HARRIS: Can you tell me if the bodies that determined that it's deteriorated follow any sort of guidelines, rules, regulations?

MR. STRUL: Yes. The law stipulates conditions that qualify an area. I think six for a LERTA, there are seven for a TIF district. So the body that creates or certifies this area needs to demonstrate that one of those conditions exists.

MS. HARRIS: Only one.

MR. STRUL: Only one.

PRESIDENT MARTONI: Matt?

MR. DROZD: Just a quick question. How long has this land been vacant?

MR. STRUL: I have no idea. Very long.

MR. DROZD: Nothing has been built on it?

MR. STRUL: It's been a parking lot ---.

MR. DROZD: These are times when we have to look at present values and incomes. The school district is badly in need of income. The City is badly in need of income and so is the County. When you do the present value, the monies that he just projected at present value is worth in the millions to us in the long run. And I think we have to look --- and I don't believe in this essence it's going to stimulate income for our taxpayers and lessen their burden, and that's what we need to do is to lessen their burden and to get that stimulus to make this happen so we're going to start projecting some income, not only to this County but to the City and the

people, the taxpayers, as well as to the school district, which is badly in need of all three. Thank you.

PRESIDENT MARTONI: Jim, and then we're going to vote.

MR. ELLENBOGEN: You had mentioned that the Historical Commission had a problem with it. Can you tell me what that problem was?

MR. STRUL: They thought the building was too sized for the surrounding structures so the original proposal was for a 140,000 square foot structure.

MR. ELLENBOGEN: There are other historical structures that are located in ---?

MR. STRUL: And they essentially said you've got to scale back your size in order to get our support.

PRESIDENT MARTONI: Thank you. We're going to have a roll call. Before we do that, a lot of our discussion here tonight should have taken place at the committee meeting. I think we all, including myself, we all have to pay more attention to committees, okay, and committee meetings. I just wanted to say that. Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

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. Harris?

MS. HARRIS: No.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: No.

MR. CATANESE: Mr. Macey?

(No response)

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, 10; nos, 2, bill passes.  
PRESIDENT MARTONI: 7653-13.

MR. CATANESE: A resolution of the County of Allegheny authorizing the removal of parcels from the boundary of the Center Triangle Tax increment financing (TIF) district. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Ms. Green-Hawkins?

MS. GREEN-HAWKINS: Thank you, Mr. President.

Move for approval.

MR. ROBINSON: Second.

PRESIDENT MARTONI: Moved in second. Questions?

Roll call.

MR. CATANESE: Mr. Burn?  
MR. BURN: Yes.  
MR. CATANESE: Ms. Danko?  
MS. DANKO: 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. Harris?  
MS. HARRIS: Yes.  
MR. CATANESE: Ms. Heidelbaugh?  
MS. HEIDELBAUGH: Yes.  
MR. CATANESE: Mr. Macey?  
(No response)  
MR. CATANESE: Mr. Palmiere?  
(No response)  
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, 12; nays, 0, bill passes.  
PRESIDENT MARTONI: Liaison Reports.

MR. ROBINSON: Mr. President?

PRESIDENT MARTONI: Yes, sir. Mr. Robinson?

MR. ROBINSON: Thank you, Mr. President, members of Council. Two items if I might. First, I took the liberty of presenting to yourself and other members of Council a memorandum earlier today, a copy of which you probably have in your possession, which contains some materials related to a topic that I've raised with this Council on numerous occasions and will raise in the future, it is concerning the Black Agenda. If I might and in the interest of time I would like to read the memorandum without reading the enclosed materials but I'd like to have both the memorandum and the enclosed material entered into the record, if I might.

President Martoni and members of Council. I have arranged for a packet of information to be attached to this memorandum and distributed to each of you in advance of this evening's regular meeting. This package is comprised of materials relating to Pittsburgh Mayoral Candidate Bill Peduto's efforts at crafting a black agenda for the City of Pittsburgh. At the outset I would like to praise Mr. Peduto's additional efforts as well as efforts made to date by a number of other individuals who have been running for Mayor of the City of Pittsburgh this year. These efforts in my opinion constitute a workable starting point for formulating a black agenda that will ultimately work to the advantage of all of the residents of the City of Pittsburgh as well as residents of this County.

But equally important, it obviously goes without saying that the County's African-American population transcends the City's boundaries. The first time in the history of this County that there are more black people, colored people who live outside of the City of Pittsburgh. As a result, this issue has significant ramifications for each of our districts and by extension for each of us as residents and elected representatives. It therefore certainly behooves us to remain cognizant of efforts that have been made to date while staying abreast of how those efforts evolve over time.

I ask members to take this serious, it's obvious, but it's serious. And the issue will not go away. We are going to have to find a way to address it. I have identified this as the black agenda. Thank you, Mr. President, members of Council, for this opportunity.

And I have a copy of Mr. Peduto's response to the black agenda as well as this memorandum to be put into the record.

A second item, if I might, Mr. President, relates to our budget process. I want to indicate to members that the Budget Committee is in receipt of responses from our first round of questions from all the parties that we requested make a submission, except the administration. The administration asked for a couple more days to prepare materials that we requested. And I thanked them for letting us know in advance that they could not meet the deadline. I anticipate in the next couple of days all the answers to our initial questions submitted by the committee will be answered. And that we will have that material available for those members who want answers to those questions. This year I anticipate there will be a second round of questions and possibly a third. Members who have questions for the second round, if you'd get those to myself or Mr. Szymanski by September 20th, 2013, we will include them in any presentation made to the administration and other parties from whom we have requested information on the first round. The questions will be sent to the departments and to the administration and the affiliated agencies on September 23rd. We're asking that responses be sent back to us, that is, to the committee, by October the 7th. These are all 2013 dates.

One other point if I might make it at this time. In the interest of efficiency, the Chair has instructed staff not to produce the number of binders that we have in the past with all the relevant information contained therein. If members want a separate binder, talk to me or Mr. Szymanski or other staff, Ms. Stevens and others we will make sure that you get your own personal binder. We have found in the past that some members have not fully utilized the binders. We can save a significant amount of money by not producing 20 binders. We will probably produce six or seven but if a member needs a binder for their own personal use, we will give it to them. What we are attempting to do is move as efficiently and effectively as we can into the electronic era. I must admit I'm coming along kicking and screaming since the thick binder was my idea. But I have been convinced that it is much more efficient to provide to members of Council and to other interested parties all the information that the committee has, the Budget and Finance Committee has

electronically. This year we'll put more emphasis on getting information to you electronically. All the material we're requesting is pretty much coming to us electronically. So it's easier and more efficient for us to send it to you. And I think it's a great idea and I wanted to thank Mr. Szymanski and Ms. Stevens for being diligent in beating me over the head about the binders and also using the electronic means of communication. I thank you, Mr. President and members of Council for your indulgence on these two items.

PRESIDENT MARTONI: And we thank you for your hard work on the Finance Committee. Mr. Finnerty?

MR. FINNERTY: I'd just like to mention that Collier Township is having their Oktoberfest September the 14th. And Heidelberg will be having their Oktoberfest September the 28th. So if you're in the vicinity stop by.

PRESIDENT MARTONI: Thank you. Ms. Rea?

MS. REA: Thank you, Mr. President. The North Park Flag Retirement Ceremony is scheduled for tomorrow evening, September 11th at 6:30 p.m. at the North Park Flag Retirement Plaza at the intersection of Wildwood Road and Babcock Boulevard behind the canon. Thank you.

PRESIDENT MARTONI: Thank you. Matt?

MR. DROZD: Ross Township has an upcoming community days. Thank you.

PRESIDENT MARTONI: Thank you. Barbara?

MS. DANKO: Yes. I've been following the last few weeks in the Pittsburgh Courier the work of my fellow Councilmember, Amanda Green-Hawkins. She received a number of complaints about --- stemming from incidents at the Rivers Casino. And she's brought the parties together and she's been trying to work out with the Rivers Casino some best practices solutions. I just want to commend her and maybe she wants to talk a little more about the work that you've done there.

PRESIDENT MARTONI: Do you want to talk a little bit about the work you've done there?

MS. GREEN-HAWKINS: Thank you, Mr. President, and thank you Councilmember Danko. Yes, it's been in the media a lot recently about a letter that I sent to the Casino after I received a number of complaints from constituents, all of our constituents, about incidents that they've had over at the Casino and they believe that they were due to their race. And these are Africa-Americans. And based on their allegation, I wrote a

letter to the Casino saying this is what constituents are coming to me saying and I know I only had one side of the story and I would love to sit down and talk with you about this. And I met with representatives of the Casino a couple of weeks ago and we sat down and we talked basically about how we improved their relationship with the community and improved their image in the community because I definitely want to see the Casino succeed. And I want to see promoters who want to do business with the Casino succeed. And I want to see our community patronize the Casino as well. And they told me about some diversity training that they're doing, some new and improved diversity training for management and supervisors. And that's about 300 people. And then for the other 1,500 or so team members they're also doing a revised form of diversity training, they explained to me.

And I was very pleased to hear that because diversity training is crucial for people who interact with members of the public, try as we might, you know, we say we treat everyone the same. We all like to believe that. But I'm hard pressed to believe that any of us would treat someone we perceive as a 70-year-old senior citizen the same as we would a person we perceive to be a 25-year-old male, you know, dressed in sweats perhaps and then one dressed in a suit perhaps. You know, that's a question that we all need to wrestle with ourselves and I just throw it out there for you to do that. But in any event, they've recognized that perhaps in that exchange because of the perceptions of people, that maybe what they want at the management level doesn't necessarily happen in the face-to-face meeting so they're working with the team members and working with trainers to make sure that everyone gets treated the same across the Board. And they're looking for any recommendations that we may have as to who might be able to offer the training, help them revamp their training if necessary. They're willing to sit down and talk about any and all of it so that they can work with the community and thrive here in the community. I was very pleased with that. Thank you.

PRESIDENT MARTONI: Thank you very much. Moving on. New Business, Ordinances and Resolutions, 7738-13.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania supplementing the Administrative Code of Allegheny County, Part 7, Properties, and creating a new Article 707 entitled County

Parks to enact a hold on drilling and exploration for natural gas on Allegheny County parklands. Sponsored by Councilwoman Danko.

PRESIDENT MARTONI: That will go to Government Reform Committee.

MS. HEIDELBAUGH: Point of Order, please?

PRESIDENT MARTONI: Sure.

MS. HEIDELBAUGH: Mr. President, I had asked I believe the last time we were here for an opinion from Mr. Szefi and for an opinion from Mr. Cambest in regard to whether in the charter establishing these parks there had been a review of whether there could be obtaining minerals, including oil and gas in the parks. I see Mr. Cambest has stepped away for a moment, but Mr. Szefi, are you allowed to give us an opinion?

MR. SZEFI: Well, I have not written a full opinion for you. I've looked at it. Is the question whether it's --- is the question whether this referendum is permissible?

MS. HEIDELBAUGH: No, no, not referendum, not that at all, a totally different issue.

MR. SZEFI? Okay.

MS. HEIDELBAUGH: Whether we have --- whether the County has examined the charters establishing the parks to determine in the deed transfers and in the charter whether we are allowed to engage in the extraction of minerals beneath the surface. That was my question to you and to Mr. Cambest.

MR. SZEFI. I'm sorry, I misinterpreted your question. I thought last time you asked whether the referendum question was permissible under the charter. That question I have --- I can tell you I'm aware of no restrictions in the charter about extraction of gas ---.

MS. HEIDELBAUGH: No, no, not the Home Rule Charter. The charters starting the parks. Usually a park is started by a charter or a deed or a trust document.

MR. SZEFI: Yes. There was a --- there is nothing that we are aware of prohibiting --- that would prevent the extraction of minerals, gas and minerals from underneath our parks. We own the minerals. Someone talked about Deer Lakes. That's the only one ---.

MS. HEIDELBAUGH: That's all I'm asking. So my question is a little bit different. We're two lawyers talking to each other.

MR. SZEFI: I'm not aware that our parks are started by a charter.

MS. HEIDELBAUGH: I want to know if the research has been done, if the deeds have been pulled, if there has --- the original document, call it what you will, I don't know what it was called in 1900, okay, the document starting the parks, the original donative intent, whatever those documents were, have you looked at them specifically and if you're going to find them, let's all see them. As a lawyer I'd like to read it. I want to see if there's any prohibition in any of those documents that formed that park that would prohibit the extraction of minerals underneath the surface.

PRESIDENT MARTONI: Well, could you look that up?

MR. SZEFI: Yeah, that answer I can get you. I know that there was, about five years ago, there was a title search done for all the parcels that form Deer Lakes. And again, that's the only one that we've looked at all. And those revealed, you know, that the mineral rights were all owned by the County.

MS. HEIDELBAUGH: So as a lawyer what I want to see is I want to see the document that started that park.

MR. SZEFI: I don't think you'll find that document but I'll give you what started ---.

PRESIDENT MARTONI: Do your best to find it. Barbara?

MS. DANKO: This bill, as most of you are aware by now, is designed to enact a three-year hold on leasing surface or subsurface rights on Allegheny County parkland. Part of the reason I'm proposing this legislation is because the Home Rule Charter, Article IV, states that County Council is charged with land use decisions involving County-owned property. And up to this point County Council, let alone the community at large, has not had a discussion about whether or not we want drilling in our County parks. It is also clear to me that based on his own statements that the County Executive is negotiating regarding subsurface drilling. To the best of my knowledge no one on Council has been a party to those discussions which I find to be problematic.

I also introduced this legislation because the regulatory environment regarding drilling in the state of flux. There's a major case in front of the Pennsylvania Supreme Court on municipal rights vis-à-vis drilling and

the State Department of Environmental Protection recently issued extensive new regulations which will not be finalized for some time. I look forward to further discussion of this legislation with my colleagues in committee. Thank you.

PRESIDENT MARTONI: Thank you kindly.  
7740-13.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the acceptance on behalf of the County of used desks, conference tables, file cabinets, work stations, moveable file storage systems, other office furniture and related personal property for use in the Office of the Public Defender, the County Solicitor's Office and the Department of Court Records that has been offered by various law firms in the County pursuant to a donation program sponsored by the Allegheny County Bar Association. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Send that to Government Reform Committee. 7741-13.

MR. CATANESE: A resolution of the Council of Allegheny County, Pennsylvania, made pursuant to the Local Economic Revitalization Tax Assistance Act (LERTA) Pa. Stat. Ann. Tit. 72, Section 4722 et seq (1995) as amended providing for a program of temporary exemption from increases in Allegheny County Real Property Taxes for specified time periods resulting from improvements made by an owner of property located within a specific geographic area within the City of Pittsburgh, County of Allegheny, Commonwealth of Pennsylvania, previously determined to be a deteriorated area establishing a schedule for exempting increases in Allegheny County property taxes resulting from such improvements and prescribing the requirements and procedures by which an owner of property located within the deteriorated area can secure the temporary exemption resulting from such improvements. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Committee on Economic Development and Housing. 7742-13.

MR. CATANESE: A resolution of the County of Allegheny authorizing the removal of a parcel from South Side Works Tax Increment Financing Plan. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Committee on Economic Development and Housing. New Business - Motions, 7739-13.

MR. CATANESE: Expressing the Sense of Council of Allegheny County calling for Congress to repeal the Affordable Care Act (Public Law 111-148) to be deleted from the U.S. Code and to render the provisions under it as no longer having the force of law. Sponsored by Councilman Drozd.

PRESIDENT MARTONI: Government Reform. Mr. Drozd?

MR. DROZD: Yes. I just wanted to point out that there's two of us up here using the electronic media. But anyhow, this is commonly known as Obama Care, this act. And one thing I want to stress first and foremost I've heard nothing but a lot of horror stories rather than good news, very few, if any, about Obama Care and what it's doing. First and foremost, people don't understand and I'll guarantee that most of us here don't totally understand what Obama --- or how it's going to affect us or what it includes. If Obama Care is so good, I believe you lead by example. Then why doesn't the President and those members of Congress that support Obama Care accept it for themselves and their own families if it's that good. You know, you lead by example, what's good for the goose is good for the gander. But they don't stand up here; do they? Then why should we have to? Why should we? Since its inception the law has been extremely controversial. No one knows exactly what it's all about. Twenty-six (26) states, 26 states had joined 14 in desenting against the provision of the Affordable Care Act, including the Governor of this state. And due to the structure, guess who's going to absorb the cost? A lot of us.

I had two people from Canada visit me this weekend. They have similar socialized medicine, and that's what this is. And what they have is this, it's not covering everything. Do you realized in Canada you have to wait for weeks, maybe --- whatever, how long it may take to just get a simple MRI. They have a daughter that has Lyme disease. They have to come here to the states to get them treated.

Last year alone they spent \$50,000 which wasn't covered by their care to take care of their daughter for something like that. They spent close to a million over the years to take care of their daughter. They have to have private insurance outside their own Canadian coverage.

One point they made is very interesting. They said, why don't they come and ask us in other countries how it's working for us. Why don't they ask us to come and present. No one does that.

Also, I've been in some of the, just recently some of the different retail/commercial establishments one of which is a very major chain. I don't even know how the conversation came up but what the employee said to me was this, guess what, you know, we're being cut back, we're no longer going to be full time, we're no longer going to be --- cut back to part time because of Obama Care, quote, unquote. There were some prison guards that were before us the other day. They're being shortened in their hours. I don't know what the reasons may be, but this is going on across the country. I think it can be best said if you don't believe me, by some of the advertisements that have been going across the airwaves. And to quote, leaders of three of the largest unions in this country who kind of somewhat embraced it but I don't think they totally understood it like many of us, said, quote, unquote, this new healthcare law will shatter not only our hard-earned health benefits but destroy the foundation of the 40-hour workweek that is the backbone of the American middle class.

Secondly what they have said is this, union leaders are concerned that the employer mandate gives incentives to smaller companies to shift their workers to part-time status, and how can we blame them because they're struggling first and foremost in the country, because employers are not required. The labor leaders also fear that Obama Care may end up destroying the unions' multiemployer health plans unless it is changed, and I call upon it to be repealed by the people of this country. We have to find a better way.

Yes, we want to see healthcare where people can afford it but it's not the way of Obama Care. There are better answers and better solutions that we have to look at. We talked about moratoriums for three years on this, on the gas drilling, what about a moratorium on Obama Care. Why force it down our throats. When I see this President and Congress who supports it stand up for them and their families, take it, then maybe we can stomach it. Maybe. I don't think if they can, how can we and why should we? Thank you, Mr. President, and thank you, my fellow Councilmen.

PRESIDENT MARTONI: Government Reform Committee.

MR. FINNERTY: Can I answer that?

PRESIDENT MARTONI: Yes, please, try to.

MR. FINNERTY: I thought that when we introduce something, we can just say what it is and what are you thinking, what's its purpose. Not to put through a whole scenario here. Obviously, the representatives in Congress and Senate, they obey no laws that they make. That's the way it is. I mean, they made that law but they don't have to obey the laws. So I understand that. I don't agree with it. But this was passed and as in this legislation in front of you, this motion, March 23rd, 2010, it was passed by the Senate. It was passed by the House. It was signed into law by the President. It's the law. And because of that, some people that disagree with it just can't get over it.

So let's take a look at some of the things that have been said here. One implication in the whereas is it's unconstitutional. The Supreme Court has already said it is constitutional.

MS. HEIDELBAUGH: Mr. President, I think he's out of order.

MR. FINNERTY: And to imply ---. And to imply that it is unconstitutional is completely ridiculous. We have somebody here that says that it hasn't done anything. Well, it has done a lot of things. If you take a look at some of the things, number one, this is health insurance and as some people continue to say, they say about healthcare. Healthcare in the United States will continue to be provided by the private sector, doctors, hospitals, labs, et cetera. It's not taking that away, it's health insurance is what it is. It's like Medicare. We can go through this --- you know, many --- we talked about labor here, labor unions said that it would kill the traditional 40-hour workweek. There was a letter sent in regard to the Affordable Care Act. But none of these unions ever asked for it to be repealed, the president of the teamsters, United Food Workers, Commercial workers wrote a letter expressing concern about the 40-hour workweek and wanted to make changes in the law, but not to repeal it.

If we take a look at some of the things that it has done, affordable benefits of this Affordable Care Act, a plan will no longer be allowed to turn away people with pre-existing conditions. Throw in certain gaps and coverage for the poorest Americans by creating minimum

Medicare income eligibility level across the country. States will receive 100 percent federal matching funds for the increase in payments. It extends funding for Children's Health Program, CHIPs which has been underfunded in the State of Pennsylvania. By 2022 the Congress budget office estimates that the Affordable Care Act will have extended coverage to 33 million Americans who would otherwise be uninsured. The law allows many Americans under age 26 to stay on their parent's health plan.

Today as many as three million young people have already taken advantage of this benefit. Tens of millions of people now getting preventive care at no cost, including cancer screening and vaccinations. Last year, 32.5 million Americans on Medicare and up to 54 million Americans with private insurance received one or more free preventative services. These are things that it has done. Beginning in 2014 the marketplace will be established in every state for people with small businesses that buy their own health insurance.

MS. HEIDELBAUGH: Mr. President, Point of Order.

MR. FINNERTY: Maybe even less than 133 percent of ---

MS. HEIDELBAUGH: Mr. President.

MR. FINNERTY: --- the poverty line, that's above \$29,000 for a family of four will be covered through Medicare. Between 133 percent to 400 percent of the poverty line, \$88,000 for families of four. These families will get tax credit on a sliding scale to help pay for the private insurance. The law requires insurers to spend, and this is something to think about, between 80 and 85 percent of every premium dollar on medical care as opposed to administration and advertisement. It ensures excess, this threshold, --- they have to rebate the excess to the customers. This policy is already in effect. And insurers are expected to rebate \$1.1 billion this year because of this.

The law is expected to spend a bit over \$1 trillion in the next ten years. The law spending cuts many of which fall on Medicare. And tax increases are expected to either save or raise a bit more than that which is why the Congress Congressional Budget Office estimates that it will slightly reduce the deficit. There has been some confusion on this point but not the CBO which has not changed its mind at all. As time goes on,

the savings are projected to grow more quickly than the spending. And the CBO expects that the law will cut the deficit by around a trillion dollars in the second decade. Here's a --- the graph was in the Washington Post. A study from the Keiser Family Foundation said that consumer insurance premiums will generally be lower than people think through the Affordable Care Act. A single 25-year-old male who makes \$25,000 a year and is not covered by an employer, could get insurance from \$80 to \$90 a month after subsidies. A 24-year-old who makes \$17,000 a year could get coverage for \$12 a month with subsidies.

If we speak about what it has done for people in this area, considering the 14th Congressional District which is the district around Pittsburgh. 68,000 young adults in the district now have health insurance through their parents' plan. More than 13,000 seniors in the district receive prescription drug discounts worth \$20.1 million. An average discount of \$600 per person, that was in 2011, \$800 in 2012 and thus far in 2013, \$840. 134,000 seniors in the district are now eligible for Medicare, Medicare's preventive service without paying any copays. 188,000 individuals in the district including 26,000 children and 86,000 women now have health insurance that covers preventive services without any coinsurance or deductibles.

146,000 individuals in the district are saving money due to the ACA provision that prevents insurance companies from spending more than 20 percent of their premium on profits and administration overhead. Up to 31,000 children in the district with preexisting health conditions can no longer be denied coverage by health insurance. 212,000 individuals in the district now have insurance that cannot place lifetime limits on their coverage and will not face annual limits on coverage starting in 2014. Up to 71,000 individuals in the district who lack health insurance will have access to quality affordable coverage without fear of discrimination or higher rates because of preventative --- I'm sorry, preexisting health conditions.

So these are some of the things that the Affordable Care Act has already accomplished for the American people. It must be remembered, and I can't stress this enough, that it has been passed, it is a law. And also, that for uninsured people that go to the emergency room that us people that have insurance pay for

them by our premiums going up. So you can see that it actually for me shouldn't even be here but I want to make sure that we have the facts about what's going on and not some --- oh, we'll just leave it at that.

PRESIDENT MARTONI: Let's just let this go for now. This could take forever.

MR. DROZD: I'd like to respond.

PRESIDENT MARTONI: I try to be very generous --- how long is your response?

MR. DROZD: One minute. First and foremost, I want to point out that the majority of my constituents are against Obama Care. Case in point I believe my colleague falsely accused me of voting for it. One out of three went to the polls and said why did you vote for that, they don't support it. I support my constituents. They wrongfully didn't understand I couldn't vote for it.

Secondly, there are a lot of issues, whatever, and a lot of people don't understand. My esteemed colleague, I think you're covered by the teachers' union insurances, you don't have Obama Care. In fact, ---.

MR. FINNERTY: Excuse me. You don't know what I'm covered by so don't insinuate what I'm covered by.

MR. DROZD: You might want to say that, Mr. Finnerty.

PRESIDENT MARTONI: Just drop this, okay. First of all, we've spent a good bit of time talking about something we have absolutely nothing to do with.

MR. FINNERTY: You've got that right.

PRESIDENT MARTONI: And it just isn't proper. It's for the Congress of the United States, it's for the courts to decide these things. As powerful as some of you might feel, we're just a real little cog in the wheel of America, okay, so let's just drop all this stuff. Notification of Contracts, 7743-13.

MR. CATANESE: Notification of Executive Actions for all Departments from August 1st through August 31st, 2013. Sponsored by the Chief Executive.

PRESIDENT MARTONI: How about a motion to receive.

MS. DANKO: So moved.

MR. FINNERTY: Second.

PRESIDENT MARTONI: All in favor?

(Chorus of ayes).

PRESIDENT MARTONI: Opposed? So ordered. Public Comment on General Items. And boy, you guys are

very patient. Thank you. Gary Van Horn? Gary, you know the routine, name and address.

MR. VAN HORN: I have. My name is Gary Van Horn. I live at 721 South Aiken in the City of Pittsburgh. Good evening, members of County Council. I am a City of Pittsburgh resident in Shadyside and am currently the president of the DOMA foundation of Pittsburgh, southwestern Pennsylvania's leading LGBT or lesbian, gay, bisexual and transgender advocacy organization. You probably heard a few weeks we've had our County Executive put on the front page about marriage equality. I stand in front of you today to urge you to begin to issue same sex marriage licenses here in Allegheny County. I also urge you to stand with the LGBT residents of Pennsylvania, the second largest county to advocate statewide for marriage equality. As many of you know, the ACLU filed a lawsuit challenging the Defense of Marriage Act here in Pennsylvania. Also, Montgomery County Register of Wills, Bruce Haines, has started to issue same sex marriage licenses.

We have a number of licenses that have actually been executed in this County. Pennsylvania Defense of Marriage Act that passed in 1996 largely mirrors that of the federal government. Knowing the Supreme Court has invalidated that law, how can Pennsylvania continue to hold it up? This country was built on the foundation that all men are created equally and the Supreme Court in June ruled as such. Just as Kennedy said it best, DOMA's principal effect is to identify a subset of state sanctioned marriages and make them unequal. The principal purpose is to impose inequality not for any other reason like government efficiencies. Responsibilities as well as rights enhance the dignity and integrity of a person. And DOMA contrives to deprive some couples married under the law in other states, but not others of both rights and responsibilities. Why is this an issue in Allegheny County? First, we have seen time and time again a loving couple is a good thing for society. Many of my friends who are in same sex relationships or marriages are active in their communities, pay taxes, volunteer their time and are great neighbors. Let us just look at the number in Allegheny County that have a higher concentration of LGBT individuals. You've been to Mexican War Streets in the North Side that has property values through the roof, just blocks away from dilapidated buildings that have very

little value. Look at Shadyside, now part of the East End that is expanded to include East Liberty, Bloomfield, Garfield and Friendship.

Secondly we need to continue to attract the brightest and best minds to the region. Pennsylvania is now the only northeast state that doesn't have marriage equality or civil unions. I met with the Allegheny County conference a few years ago, a staggering statistic was conveyed to me that in the next seven to ten years 30 percent of the workforce will retire in Western Pennsylvania. Thirty (30) percent is a huge number. How will we continue to attract people to work at PNC, Alcoa, American Eagle, Highmark and UPMC. The County Executives clearly heard from us over the past few weeks, hundreds of phone calls and e-mails. And we know that a recent poll found that 57 percent of Pennsylvanians now believe that marriage equality should be legal. I thank you for your time this evening and look forward to working with you as our quest for equality of the law continues. Thank you.

PRESIDENT MARTONI: Carrie White? Carrie White? I have two Carrie Whites here. Kathleen Schneider? Kathleen, are you here? Ronald Lynn Miller. Ronald, I see you here.

MR. MILLER: Dr. Ronald Lynn Miller, 40 Beltzhoover Avenue, 412-381-3753. Global Intelligence Society candidate for mayor of Pittsburgh, 2013. Of the candidates, I announced first in 2010 during public comment of the City Council of Pittsburgh. The City of Pittsburgh is de facto bankrupt. The County of Allegheny is, so some of you County Councils say, out of money, what to do. I think that Pittsburgh will be advanced as a global city and Allegheny as a global county if Global Intelligence, a fusion of 21 disciplinary intelligences is applied to the economies of the city and the county. Between 2010 and 2013 I argued for seeking investment in the following ten economic enterprises to provide jobs for Pittsburghers and Alleghenians. On biological genetic studies a factory to produce food and energy using artificial photosynthesis, Pittsburgh City Council Public Comment 15 January 2013, out of physical studies, physics, a factory to make nano sized storage cells one billionth of a meter in size.

A letter to Pittsburgh City Council Public Comment 21 July 2012. Out of chemical studies and geological studies a research facility or factory for

developing an alternative to hydraulic fracturing and doing that. Pittsburgh City Council Public Comment 25 January 2012. Out of visual studies, geological studies and sociology, a central factory and micro factories based in neighborhoods for making the material cases for computers, tablet size and smaller for Pittsburgh Computer, Incorporated. Pittsburgh City Council, Public Comment, 12 June 2013. Out of mathematical studies, a central research laboratory and neighborhood micro factories for inventing and making computer software to run Pittsburgh computers of middle performance range. Pittsburgh OS, Pittsburgh City Council, Pittsburgh Public Comment 12 June 2012. A virtual artificial study, central research, laboratory and neighborhood micro factories for innovating and manufacturing medium performance microchips for use in Pittsburgh computers.

Out of European regional studies working with individuals and institutions in Russia to create a business in Pittsburgh for assembly of a low cost/high class electric car, Pittsburgh City Council Public Comment, 23 April 2013. Out of American regional studies working with Brazilians to create a medical economic nexus for preserving Amazonian plant life as potential sources of microbicides Pittsburgh City Council, Public Comment, 23 April 2013. Out of Asian regional studies working with Indians to create a business for Hindu approved vegetarian food at low cost and high quality to sell in India and the USA, Pittsburgh City Council, PC, 23 April, 2013. And out of African regional studies working with Nigerians to create a Pollywood a Pittsburgh Hollywood alongside Nollywood, Nigerian Hollywood twins for the production less expensive but narratively powerful films. I'm aggressively seeking investment for these and other projects in the City of Pittsburgh and the County.

PRESIDENT MARTONI: Loretta Weir? Loretta, are you here? Kenneth Weir? Keith McDonough? Keith, are you here? Erika Staaf?

MS. STAAF: Hi. Thank you for staying for our comments. I'd like to comment on Councilmember Danko's moratorium ordinance. My name is Erika Staaf, 6620 Ridgeville Street, Pittsburgh, 15217. I'm here representing Penn Environment and our 10,000 Allegheny County members. I want to register our support for Councilmember Danko's moratorium ordinance. I want to remind you all that a moratorium is not a ban, rather it's

a pause to conduct a true cost benefit analysis that considers factors such as --- that are sometimes considered externalities, such as health and safety risks, possible drop in tourism dollars and other costs that we've heard in detail this evening.

A little back of the napkin look at other options that I compiled shows that there are revenue generating and cost saving measures that could and should be considered in place of the revenue possibly generated by this drilling on and underneath our parks. That would actually move us to a more sustainable future relying on 21st Century technologies rather than 20th Century technologies. And those could include a fee on storm water runoff that would address our storm water and sewage overflow issues, increase energy efficiency beyond what we've already done for the County's buildings and other areas in the County and others. So I urge the Council to support a moratorium, this moratorium ordinance. I know that drilling on and underneath our parks is not popular with the public. I have here a petition that's been signed by 715 Allegheny County residents and that's really just scratching the surface. That was really just the first, you know, sending the message out there and letting an initial number of people weigh in. I know it's not popular in the public. And I guarantee that our members, our 10,000 members in Allegheny County and the general public, will be hearing from us about how the County Councilmembers vote on this issue. And I urge you to be on the right side of history. Pennsylvania as a state rushed much too quickly on drilling in Pennsylvania across the state. Let's not foolishly follow in their footsteps. Thank you.

PRESIDENT MARTONI: Thank you. Melissa Castle? John Kandray? John Kandray? Mary Ruth Aull, A-U-L-L? Was that pronounced okay?

MS. AULL: Yes, sir. Mary Ruth Aull, 130 Idlewood Road, Penn Hills. I wish to thank Councilmember Barbara Daly Danko for introducing a resolution calling for a three-year moratorium on fracking on and below our regional parks. And I urge all other Councilmembers to wholeheartedly support this resolution. I chose to live in Pittsburgh area mainly because of the wonderful parks and close proximity to nature. We get more upset over goose and dog poop than we do over disastrous chemicals we are introducing to our earth with potential to contaminate

our water. County murdered hundreds of geese over this issue several years ago and yet you're okay with fracking. We invaded two countries over the death of 3,000 people, yet 60,000 people die every year in this country because of respiratory illness due to our air pollution. And many thousands from cancer, and yet we witness injecting hundreds of carcinogens into our earth with eventual migration into our water and soil.

We are now debating on bombing another country because of chemical weapons, while fracking is chemical warfare on our earth. Even as we witness the death throes of our planet, melting of the Arctic, drought, floods, fires, species extinction. This insane attack and exploitation of our earth continues. Our parks provide an experience to connect to nature to our animals, trees, plants which restore mental peace and stability. Thoreau said in the wild is the preservation of the world. I just had 14 solar panels installed in my house with no environmental impact and 100 percent of that energy is used compared to only 50 percent from coal-fired plants because 50 percent of the energy from a coal-fired plant is lost transporting from the plant to the consumer. Why not put all this energy and effort into promoting and developing solar. If the City, County, State and Federal governments went solar it will bring the costs down so citizens can afford solar. Eventually it would bring the cost down to buying a furnace or air conditioner with no harm to the universe. The first month of my solar panels, I saved 500 pounds of emissions of CO2.

In closing I read this quote somewhere which seems to apply to this issue before us. To leave the land in its natural state is absolutely imperative to the success of the human race. There is a deep yearning for wilderness and people, even if they don't know it. Shine baby shine, not drill baby drill. Thank you.

PRESIDENT MARTONI: Jordan Romanus? Lisa Jordan? Briget Shields? Sam Hens-Greco? Janice Anderson? Pat McConville? Josh Zorich? Come on, Josh, you're a survivor, my man.

MR. ZORICH: Members of Council, thank you, it's been a long night so I'll try to short and sweet and succinct. Sulphuric acid, carcinogen; crystalline silica, carcinogen; formaldehyde carcinogen; hydrogen chloride, hazardous air pollutant under the Clean Air Act; naphthalene, carcinogen and hazardous air pollutant under

the Clean Air Act; benzene, lead, diesel fuel, carcinogen, hazardous air pollutant under the Clean Air Act and contaminant under the Safe Drinking Water Act; diesel fuel is also cited in the infamous EPA 2004 study which states that the use of diesel fuel in fracking fluids poses the greatest threat to underground sources of drinking water. That study specifically was used to substantiate the Energy Policy Act of 2005 which exempted fracking from the Safe Drinking Water Act, Clean Air Act, Clean Water Act, Comprehensive Environmental Response Compensation and Liability Act, more commonly known as the Superfund, Resource Conservation Recovery Act, the National Environmental Policy Act, our nation's first comprehensive law on the matter.

And the Toxic Release Inventory under the emergency planning and Community Right to Know Act. That 2004 report was also issued under the guidance of a director named Christine Todd Whitman who was the EPA director who also oversaw the disastrous response to Ground Zero which led thousands of first responders to become ill leading to a 2010 federal law that became necessary called the Zadroga Bill named after the first, the very first first responder to die from what is now called Ground Zero cough. So my confidence in the credibility of that director is somewhat questioned. We're told this is a matter of energy independence. I don't believe that for a second. Alaska Senator Lisa Murkowski on her own website and her own press release released in August says, quote, the Senator today released a white paper outlining the case for exports of liquefied natural gas entitled, quote, The Narrowing Window, America's Opportunity to Join the Global Gas Trade. Natural gas drilled in Washington County does not go to power homes in Washington County. That's a falsehood.

I would like to thank Councilman Danko for this resolution. And that's the end of my comments on this matter. And I would just like to add to the record, Councilman Drozd, that in the summer of 2011 Disney Corporation closed their store at the Ross Park Mall. My girlfriend who was an assistant manager at the time lost her job and her healthcare. She was 24 years old at the time. Five months later after turning 25, she had to go in for emergency gallbladder surgery overnight, only covered thankfully by the fact that she was still covered

under her father's insurance plan being under the age of 26, thanks to the Affordable Care Act. Thank you all.

PRESIDENT MARTONI: Thank you, sir. Luke Lyons? Lee Marcusi (phonetic). Did I do that name okay?

MS. MARCUSI: Yes, sir. Lee Marcusi, 1343 Sharps Hill Road, Shaler, Pittsburgh, PA, 15215. I'm here to talk to you all tonight about DOMA and about the federal government and about our fair city and our wonderful County of Allegheny. I'm here to talk from my heart. At the beginning of this meeting, we pledged allegiance to the flag. And at the end, we said, with liberty and justice for all. But I am not included in that all because I am a lesbian. I am retired from Westinghouse Elevator Corporation as a manager, region sales manager. My partner and spouse was a Pittsburgh public school teacher that taught in the Hill District for 15 years and then in the gifted center until she retired. I am 64. I do not have insurance. I can't afford it because I have Lyme disease. My partner has insurance but her insurance will not cover me because of the laws in Allegheny County at the moment. My partner and I, my spouse --- and I say spouse because we were married ten years ago in Toronto, Canada. It will be ten years next month. And we've been together 15 years.

We own our own home. We both are on the title, we both are on the mortgage, we both are on the deed. If something were to happen to my spouse, I would have to pay \$15,000 in taxes for every \$100,000 in value of our home. I would have to pay on half of my home because we aren't considered a married couple. None of you have to do that. If she dies, I am not entitled to her pension because we are not considered married in this state. Yet we're considered married in this country. The Supreme Court has said that it's okay for people to marry. The Supreme Court has said it's okay for people to marry and we have to file joint income tax returns next year. But we don't have any of the benefits. What's wrong with us? What's wrong with us. We were in Argentina three years ago and Argentina, a big Catholic country allows gay marriage. It is not liberty and justice for all because I'm not included. And that's not fair. We need in Allegheny County to be leaders in Pennsylvania to come out and say it's okay here. We recognize that gay people are people and have rights under the laws of this County and country and state. And you can lead. You people can be leaders

to say that we can be licensed to marry in this state and give us equal opportunity. Thank you.

PRESIDENT MARTONI: Ron Slabe, S-L-A-B-E. What do you want to say?

(Chorus of motions).

(Chorus of seconds).

PRESIDENT MARTONI: Meeting adjourned.

MEETING ADJOURNED AT 8:15 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