

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

John P. DeFazio	-	President
Nicholas Futules	-	Vice President, District 7
Heather S. Heidelbaugh	-	Council-At-Large
Thomas Baker	-	District 1
Jan Rea	-	District 2
Edward Kress	-	District 3
Michael J. Finnerty	-	District 4
Sue Means	-	District 5
John F. Palmiere	-	District 6
Dr. Charles J. Martoni	-	District 8
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, March 18, 2014 - 5:06 p.m.

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

IN ATTENDANCE:

Joseph Catanese - Director, Constituent Services
Jared Barker - Director, Legislative Services
Walter Szymanski - Budget Director
Jack Cambest - County Solicitor

PRESIDENT DEFAZIO: The meeting will come to order. Will you all rise for the Pledge of Allegiance to the flag, followed by silent prayer or reflection; after me ---.

(Pledge of Allegiance.)

(Silent prayer or reflection.)

PRESIDENT DEFAZIO: Thank you. Roll call.

MR. CATANESE: Mr. Baker?

MR. BAKER: Here.

MR. CATANESE: Ms. Danko?

MS. DANKO: Here.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Here.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Here.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Here.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Present.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Here.

MR. CATANESE: Mr. Kress?

(No response.)

MR. CATANESE: Mr. Macey?

MR. MACEY: Here.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Here.

MR. CATANESE: Ms. Means?

MS. MEANS: Here.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Here (via telephone).

MR. CATANESE: Ms. Rea?

MS. REA: Here.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Present.

MR. CATANESE: Mr. DeFazio, President?

PRESIDENT DEFAZIO: Here.

MR. CATANESE: Fourteen (14) members currently present.

PRESIDENT DEFAZIO: Okay. Proclamations and Certificates. 8130-14.

MR. CATANESE: Proclamation recognizing the Pittsburgh Urban Leadership Service Experience (PULSE), and naming April 4, 2014, as PULSEation Day in Allegheny County. Sponsored by Council Member Baker.

PRESIDENT DEFAZIO: Go ahead.

MR. BAKER: Thanks, Mr. President. I know everyone's here for a lot of different reasons tonight, but I do want to recognize Chris Cooke, that's here with us tonight. Chris Cooke is the Executive Director of PULSE. Just to get sense from the crowd, has anyone ever heard of PULSE? Okay. I see a pretty --- fairly good many of you, Chris, not as good as the County execs. But we're glad to have Chris here. He's the Executive Director of PULSE. The Pittsburgh Urban Leader Service Experience has brought in 175 young professionals into our region since its inception in the '90s. John Stahl-Wert, who was a mentor of mine and friend, started the organization because he saw too many people leaving our region and not staying in our region.

And through the program it brings a lot of great young leaders to western PA, to Allegheny County, to engage in important work and just incredible work. So Chris's big event is on April 4th, PULSEations. He estimates there will be over 500 people there for PULSEations, which is just terrific. And I'm really proud to sponsor this proclamation for Chris and to make sure that April 4th is PULSE Day here in our city and our county.

So the proclamation reads: WHEREAS, since 1994, the Pittsburgh Urban Leadership Service Experience (PULSE), has cultivated a community of young servant leaders to transform Pittsburgh; and

WHEREAS, PULSE invites talented university graduates that partner with non-profits for a year of service and leadership; and

WHEREAS, over the last 20 years, PULSE has gotten 175 young adults to work with 100 non-profits in Allegheny County, contributing some 300,000 hours of service to the county, which is tremendous, and its residents;

WHEREAS, PULSE's unique model, which focuses on participants, non-profits in city neighborhoods, has created a lasting change in the lives of thousands of individuals and organizations; and

WHEREAS, on Friday, April 4th, from seven to ten p.m., at the Union Project, PULSEation'S Big Top event will take place, bringing together 500 people.

NOW, THEREFORE, BE IT RESOLVED, that Allegheny County Council does hereby declare April 4th, 2014, as

PULSEations Day in Allegheny County. Sponsored by myself and presented by Council.

(Applause.)

MR. COOKE: Thank you so much. We really appreciate it. It's great to be here, the first time I've been in this room, and it's pretty amazing. So I hope you guys have a great night.

(Applause.)

MR. BAKER: Chris told me beforehand that over the years, out of the 175 young people that came to our region for PULSE, about 70 percent of them have stayed in Allegheny County, which is a very good thing. So a lot of you are working on thanks to Chris.

(Pictures taken.)

PRESIDENT DEFAZIO: 8131-14.

MR. CATANESE: Proclamation recognizing Ms. Shimira Williams, founder of TekStart, a STEM focused child care provider in Pittsburgh. Sponsored by Council Members Green Hawkins, Daly Danko and Councilman Robinson.

MS. DANKO: Good evening. We are so happy to be here to talk about Shimira Williams. Perhaps some of you saw the article in the Post-Gazette a few weeks ago about Shimira's work as the founder of TekStart, and this is a STEM focused child care provider in the City of Pittsburgh, trying to get that early, early start in science, technology, engineering. And as someone who was --- is also part of the Kickstarter campaign for Goldie Blox, I'm thrilled to have her here, and I'm thrilled that Council member Green Hawkins and Council member Robinson and I decided --- we all thought this was a great thing and we wanted to honor her; so Mr. Robinson.

MR. ROBINSON: Thank you, Ms. Danko. Members of Council, Mr. President, I think this young lady is an example of the talent and skill that we have in our community. She's here, not someplace else. She stayed here, and she's building something that is not only a tribute to her and women during this month of March, but for years to come. The technology that many of us struggle with, starting with myself, this young lady probably has mastered pretty good, and now she's trying to pass it on to generations that will come after her.

I was very excited when Ms. Green Hawkins and Ms. Danko asked me to join them in this presentation. I thought that, again, picking someone who's doing well and giving them exposure and thanking them for helping the

generations that are coming behind us was a great thing. This young lady represents many others in our community who are doing good work in the technical field. She is fortunate enough to be here today to receive this honor on behalf of them, not just herself. I look forward to her successes in the future in our county, and I encourage her to stay with us as long as she can. You know, most of the people who are in Allegheny County are going to be here a long time. Eighty-five (85) percent of our residents are born here, go to school here, go to church here, go to college here, go to work here and go to their final reward from here. I hope she's part of that 80 percent. And so I congratulate her personally and all the women and youngsters she represents, for a job well done.

(Applause.)

MS. GREEN HAWKINS: I'm going to read the proclamation and invite Ms. Williams to share with us a few words about the work --- great work that she's doing in our community.

WHEREAS, since 2008, Ms. Shimira Williams has been owner and operator of TekStart, a daycare facility that specifically focuses on STEM; science, technology, engineering and mathematic subjects; and

WHEREAS, TekStart, located in the Lincoln neighborhood of Pittsburgh, serves between --- serves children between the ages of 3 and 13, that come from low to middle income families and may not otherwise have the opportunity or support necessary to cultivate their interests in STEM areas; and

WHEREAS, due to the importance of her work, TekStart has been the recipient of several grants and gifts from organizations such as The Sprout Fund and St. Vincent Colleges, Fred Rogers Center for Early Learning and Children's Media, allowing her to provide new and exciting opportunities for the children enrolled in her program; and

WHEREAS, Allegheny County is, indeed, proud to recognize Ms. Williams for her passionate and successful efforts to provide science and technology learning opportunities to the youth of our county.

NOW, THEREFORE, BE IT RESOLVED, that the Allegheny County Council does hereby commend Ms. Shimira Williams for her tireless efforts and advocacy of STEM subjects and thanks her for the significant positive impact she is able to provide to Allegheny County's

leaders that innovators of tomorrow. Sponsored by Council members Green Hawkins, Daly Danko and Robinson. Thank you so much.

(Applause.)

MS. WILLIAMS: Thank you for this proclamation. I would just like to say, I do this work because I was a STEM kid but didn't have anywhere to go. And I believe that STEM education should start in Pre-K because they are nothing but STEM people. Why did this happen? How did this happen? Can I do it again? And our job is to facilitate the data and collection of that information.

(Applause.)

MR. PALMIERE: Can you make me a co-sponsor, please?

MR. FINNERTY: I would like to co-sponsor.

MR. CATANESE: Bob?

MR. PALMIERE: I wasn't sure if I got on the roll call. I've been sitting here on the phone.

MR. CATANESE: You are on the roll call.

MR. PALMIERE: Okay. Thank you very much.

(Pictures taken.)

PRESIDENT DEFAZIO: 8132-14.

MR. CATANESE: Proclamation recognizing Ms. Heather Arnet, Director of the Women and Girls Foundation of Southwest Pennsylvania, for directing a documentary entitled, Madame Presidenta: Why Not U.S.A? Vamos Meninas. Sponsored by Council members Daly Danko and Green Hawkins.

MS. DANKO: And we have Heather Arnet here with her son; very nice. Heather Arnet, many of you may know her from her work in the community, but --- and we've crossed paths many times over the years, politically and kid-wise and otherwise. But I was so thrilled to see that she had put this movie together, asking the question of why, when you have countries around the world that seem to be able to elect a woman president --- why haven't we done that yet here in the United States? And so since we're in Women's History Month, we thought that we'd bring her in and talk a little bit about her movie.

But it premiered March 8th, for those of you who aren't aware, at the Carnegie Museum of Art, to a sold out audience. And it will be shown on WQED on March 29th for its public television debut. One of the other things I wanted to mention was that Heather and I spoke last week, and in the fall I was given an award. And when

Heather --- we were talking about the women who had come before us, our mothers, our grandmothers. And so Heather said, well, maybe, you can put a little bit of that in the proclamation, and so we did. And I'm thrilled to be here today with Heather, and I think Amanda's going to read the proclamation.

MS. GREEN HAWKINS: I'll read the proclamation, then I'll invite Ms. Arnet to say a few words, who I know as Heather and I've known her for a number of years. And I'd say she's, indeed, an inspiration to me and a lot of other women here in the county. Thank you.

WHEREAS, in the United States, the month of March has been designated as Women's History Month, in order to showcase and appreciate the immeasurable contributions women have made throughout our history; and

WHEREAS, Heather Arnet is a social activist dedicated to advance in social justice and gender equality for women and girls everywhere; and

WHEREAS, since 2004, Ms. Arnet has served as served as the CEO of the Non-Profit Women and Girls Foundation in Southwestern Pennsylvania, which promotes women's rights and female leadership development; and

WHEREAS, to further assist in her advocacy for women, Heather wrote and directed Madame Presidenta: Why Not --- Why Not U.S.? Vamos Meninas, examining women's involvement and role in global politics, paying specific attention to Brazil as a major world economy, led by female Presidenta, Dilma Rousseff; and

WHEREAS, Heather was inspired to make this film by her paternal grandmother, Vivian Goldstein, who --- daughter of a suffragette; and

WHEREAS, Heather's maternal grandmother, Frances Thin, led by example, donating her time and talents to the community; and

WHEREAS, Heather was able to achieve great heights because her mother, Eileen Brooks, taught her that she could be or do anything --- do or achieve, excuse me, anything.

NOW, THEREFORE, BE IT RESOLVED, that Allegheny County Council does hereby thank and commend Ms. Heather Arnet for her work in writing and directing Madame Presidenta: Why Not U.S.? Vamos Meninas.

(Applause.)

MS. ARNET: Well, thank you to Council. Thank you to Council women for sponsoring this. It's always

nice to be here under friendly circumstances, not advocating for anything, except to say thank you. And I will paraphrase Bella Abzug, who said; first they gave us a day, Women's History Day. Then they gave us a month, Women's History Month. Perhaps some day, if we behave ourselves, they'll invite us to the whole darn thing. So I encourage us to all think about, you know, women's history and women's presence every single day. And I am honored to be here with my son. A lot of you know me as the advocate for women and girl. I have an amazing son named Travis.

TRAVIS: Hi.

MS. ARNET: And Travis is one of the strongest feminists I know, and just recently I was looking at a picture of him when he was this high (indicating) and standing behind him was County Chief Executive Rich Fitzgerald, and it was at the Pay Day Rally from many, many years ago. So I'm honored to be here. I'm honored to see in the audience Gloria Rosen (phonetic) and Jan Cardone (phonetic) and people who are peers of mine, and so thank you for that. And again, I want to encourage all of us --- men, boys, women and girls --- to think about these issues every single day.

(Applause.)

MS. ARNET: They just want me to share a little bit about the movie. And so for those of you, I hope you will all watch it or set your DVR for March 29th. It will be on WQED at 10:00 p.m. And it's a film where we went to Brazil and we interviewed lots of different people there, about how they came to elect their first female president. And we looked at what it was that Brazil had in common with the 18 other nations that have female presidents serving right now. And of course, there are 50 nations that have had women at the helm historically. So we looked at, what is it that all these other countries had in common with each other that maybe we don't have yet. And if you want to find out the answer, you can watch on WQED, March 29th, so ---.

MS. DANKO: Very good.

(Applause.)

(Pictures taken.)

PRESIDENT DEFAZIO: 8133-14.

MR. CATANESE: The remainder will be read into the record. Let the record show that Councilman Kress is present. Proclamation thanking UPMC Passavant for

providing health care to the North Hills community for 50 years. Sponsored by Councilwoman Rea.

8134-14. Proclamation congratulating the 2013-2014 graduates of the Local Government Academy Newly Elected Officials Course. Sponsored by Council members DeFazio, Baker, Daly Danko, Ellenbogen, Finnerty, Futules, Green Hawkins, Heidelbaugh, Kress, Macey, Martoni, Means, Palmiere, Rea and Robinson.

8135-14. Proclamation honoring in memoriam, Mr. Craig "Porky" Chedwick, a member of the Rock 'n Roll Hall of Fame and affectionately known as Daddio of the Raddio. Sponsored by Council members Macey, Daly Danko, DeFazio, Ellenbogen, Heidelbaugh, Kress, Martoni, Means and Robinson.

8136-14. Proclamation recognizing and thanking John Paulik and Linda McKenna Boxx, of the Allegheny Trail Alliance, for their efforts to complete the Great Allegheny Passage. Sponsored by Council members Macey and the Chief Executive.

8137-14. Certificate of Recognition awarded to Ms. Evelyn Nicholls Foremsky, upon the occasion of her 103rd birthday. Sponsored by Councilman Macey.

8138-14. Proclamation congratulating Jared L. Cohen, President Emeritus of Carnegie Mellon University, and Mark A. Nordenberg, Chancellor of the University of Pittsburgh, for receiving the Elsie Hilliard Hillman Lifetime Achievement Award for Excellence in Public Service. Sponsored by Councilman Robinson.

8139-14. Proclamation recognizing the late Mr. Cumberland W. Posey, Jr., and thanking Duquesne University for creating the Cumberland W. Posey Jr. Endowed Fund, to retain talented minority students who have financial need. Sponsored by Councilman Robinson.

PRESIDENT DEFAZIO: Okay. We now have our Quarterly Address by County Executive Rich Fitzgerald.

(Applause.)

CHIEF EXECUTIVE FITZGERALD: Thank you, Mr. President, and members of Council. It's always --- always a pleasure to come back to the place I spent so many Tuesday nights for 12 years. But I congratulate Heather. I actually did get to see the premiere of that movie. They showed that at the August Wilson Center this fall when they unveiled it. It really is thought provoking, and I would recommend people to watch it. Let me go on to, kind of, my little state of the county for the quarter

of this year, but let me talk a little bit about last year and what we were able to achieve --- achieve together.

I'll talk a little bit about economic development. I think that's really the --- you know, kind of the driving force of what seems to be happening here in our region. And I heard Councilman Baker talk about keeping all the young people here, and there's no question that our economy is allowing us to do that in a way that --- that we didn't for decades. Last year, 16,000 jobs were created in western Pennsylvania --- new jobs. Groceries are a product that went up over six percent, 6.3 percent, and the only urban county in America in which property values have gone up every year for the last six years. Those are just some of the metrics that have gone on. A RAD tax, a point of where our sales tax and where the economy is going, was up --- was up five percent. I don't know if you saw this story in the paper the other day, but there's a hotel building boom that's going on. We have a 70 percent occupancy rate of our hotels, so there's a pent-up demand for hotels. And there's going to be about \$168,000,000 worth of new hotels being built in this region, including having about 800 rooms in downtown Pittsburgh.

We currently have about 4,500 rooms, and we're adding about 800 rooms in this --- in this region, including in '15 --- '14 and '15, we're going to have some major --- major conventions that's going to add over 50,000 room nights coming into this region. The Fraternal Order of Police are hosting our national convention here, as well as some other groups that will be coming in. The other metric that I think is notable; again, what Mr. Baker talked about, our 20 to 34 population went up 7 percent over the last couple of years. So young people are coming here, and young people are staying here. And that's a great thing.

I want to talk a little bit about the county finances, because that's always, obviously, something that we deal with, with the budget. The fund balance, as you know, when we started a couple years ago was --- hit an all-time low of \$5.7 million, and the rating agencies asked us to have 5 percent of our budget, which is about \$40,000,000. After one year, last year --- at the end of last year --- at the end of '12, I should say, we reached \$12,000,000. And then this year, while the books have not been totally closed just of yet, we anticipate that we're

going to be above \$20,000,000 in fund balance when the books finally close on 2013.

I mentioned this last time that I was here, but it bears repeating, the pension bill that we got passed last year was a major initiative that the bond rating agencies, Standard and Poor's, Moody's and Fitch's, were really almost requiring us to pass, was one of the legislative initiatives last year, along with the transportation bill that we got done. Once that pension bill got passed, along with some of the other things that I just mentioned with the fund balance, they immediately raised our bond rating. Our bond rating is now the highest it has been in 12 years, something we can all be --- all be very, very proud of. And I want to thank the budget department, all the directors, county manager, for really the diligence of the work that they've been doing to get our finances on a --- you know, good and narrow path --- positive narrow path.

I want to talk about some of the various departments that are going on. I don't know if you saw last week, but the crime lab was awarded a major award by the ATF, federal government came in. Only three cities have been getting this award. It's an award dealing with ballistics testing that we've been able to do to get some of the bad guys off the street. Only Chicago and New York have received this as of yet. We're the third city. So it's something we can be very, very proud of Dr. Williams and the folks who work down in the crime lab. That really is a dedicated --- dedicated workforce that works down there and does a lot of --- do a lot of great things.

I'm not allowed to mention this one just yet, but the Department of Human Services is going to be getting a major award in the next couple days. But they've embargoed us from saying, the group that's giving it. I wanted to congratulate Marc Cherna and his department for the work that they do. It's no surprise. I think there's a national model that Marc and his folks continually get invited to travel this country to speak in --- whether it be California, Atlanta, New York, wherever. I'm talking about some of the good practices that our Department of Human Services continues to employ, and I want to congratulate Marc and the work that they do.

We also had some really good news last week that we were announcing on Friday, and that is, for the first time in our history, every single air monitor in Allegheny

County reported lower than PM2.5. It's the first time that's ever done --- been done. I want to congratulate Dr. Hacker, our Health Board. I want to congratulate U.S. Steel for the work that they've done down in Clairton putting that new battery in. And I think we have proven that you can both grow jobs, grow an economy and clean up the environment at the same time. And I'm very proud of the work that --- the industry working with --- working with the Health Board, Dr. Hacker, Jim Thompson and the folks who do that work, it's something we can be very, very proud of. I also want to thank and publicly congratulate our Public Works Department. Spring just being a couple days away, we might start forgetting about what happened in January and February. But we probably had the toughest winter that I can remember when it comes to dealing with snow, salt, all the overtime, the ice. It was just a very, very difficult winter that we had to deal with. And I got to tell you, our Public Works people really did an outstanding job and deserve --- and deserve our thanks.

The County Manager and I and Steve Johnson, the director, we went around to all the, all the districts a couple of weeks ago, to really thank the individuals who put in the overtime, who obviously dealt with all the issues that we've dealt with, the worries about getting enough salt, not just us but other municipalities, the state and everybody else dealt with. And I really --- I really want to applaud the work that they did. I want to talk about parks for just a minute, and I want to, obviously, talk about the --- the announcement that we made yesterday.

But I'd be remiss --- we're at the end of the ski season right now, but I want to talk a little bit about what we did at Boyce Park. I mentioned that last time. The ski operation over the last few years has not been successful, to say the least. We had probably lost \$400,000 or \$500,000 a year every year. The skiing public didn't have a very good experience. Sometimes they would go out there and it would be closed; it wouldn't be operational. We decided to take a different approach this year and hire the company that made the snow at Hidden Valley. They opened up on December the 6th, the earliest that we have been open in years, and we broke records all year long, with revenue, with attendance. And I really

want to --- I want to thank the County Manager for really taking that initiative, seeing this thing through.

We may lose, you know, a little bit this year. By a little bit, I mean, like, maybe between \$100,000 and \$200,000. But I think next year when we look at concessions, when we look at, maybe, adjusting some of our fees that we didn't want to do this year, I think we can get that probably close to being --- break even. When we think about where we were just a couple of years ago, I think it was probably taught both in my administration and even in the past administration, of getting out of the ski --- the ski business. But I think it's something we can really provide for people that might not, you know, want to spend the money to go to some of the, you know, nicer resorts that we have around here. But it's a little bit of a drive and, you know, a little bit of cost that people have to do. So I think it's a service and a function that we can provide for people in our region.

I want to talk a little bit about the fact of the Health Department for just a minute. We're going to kick off --- and we kicked off a Live Well Allegheny Project, in which we're going to, you know, talk about movement --- going to different municipalities and different neighborhoods. One hundred and thirty (130) municipalities in the nine city neighborhoods, to deal with healthy lifestyles; you know, from walking to some dietary advice for people and to really help deal with issues like obesity; deal with some of the health issues that we are so plagued with, both as a nation and as a community.

And then also I wanted to talk about Allegheny Activates. This is something that we've been doing to try to enroll people with healthcare, with the Affordable Care Act. Over the next --- we're going to have 30 events over the next week, along with 30 partners. They're going to help us enroll as many people who are eligible to go through that --- get healthcare for them and their families that we can. Again, before I move on to the last thing I want to talk about, before I open up for questions, I want to talk a little bit about our legislative priorities for this year. As I mentioned, last year we got two major ones through, with the pension bill that will save this county about a billion dollars over the next 50 years, and the transportation bill that was absolutely huge for this region.

I mean, I can't emphasize enough how important transportation was for our folks to have transit and a bus service and rail service, to be able to get to work. And we're seeing the results and we're seeing some projects go out and fixing some of our roads and keeping our buses running was absolutely critical. But moving forward this year, we have some other major challenges. One is the 9-1-1 funding dealing with landline and cell phone fees that provide the funding for our 9-1-1 center. That expires in June. The state legislation that --- we're going to work with the --- with PEMA and our state legislature to get that moving forward. We also have a scanning bill --- I want to thank Councilman Finnerty --- that will help us. I think he has a resolution on the agenda this evening dealing with a scanning bill that, quite frankly, just moves the ability for court records to keep records digitally, without having to keep them stored in boxes and buy all the space that we have to lease all over --- all over the county; quite frankly, all over western Pennsylvania, to hold on to records that we can now keep on digital. So now let me move on to the Deer Lakes proposal, because I know this is something I've talked with many of you --- most of you about over the last couple of months.

Yesterday I briefed everybody on what was going on, on that issue, and a lot of it was in the paper today. But let me just summarize for those of you who were unable to hear about that. As you know, we went out for a lease a number of months ago, a proposed lease. We got one proposal back from Range and Huntley and Huntley, working together, and we started negotiating with them a number of months ago. When I say we, I mean we. You guys have a lot of input into what was the final agreement that we came to with Range. And let me just --- first of all, so that we are clear, there is no drilling activity that's going to occur on park land. This is a non-surface lease; so that's area number one.

Area number two is, there is nothing that we can do --- you can do or I can do, one way or the other --- that's going to stop the drilling from occurring in this part of the county anyway. It is occurring, and it's going to continue to occur on these paths that we're talking about. It's an opportunity that we could have to improve the operation out there, improve things for folks in that community, as well as bring revenues into this

county. So let me talk about the economics, first of all. The first issue, we would receive a bonus payment of \$4,000 an acre, and that park is an 1,180-acre park. So that would bring the bonus payment to about \$4.7 million.

We would also receive 18 percent royalty on anything that comes out of the ground at the sites on private land, which we estimate would be somewhere in the neighborhood of \$3,000,000 a year over the next --- over the next 20 years. And then finally, there's a park improvement fund, a \$3,000,000 park improvement fund that Range is going to be donating. It can be used for all nine of our county parks. So in essence, we would be getting about \$7.7 million upfront, which averages about \$6,500 an acre, in addition to the ongoing royalties, depending on the market price of natural gas in the Eel. Let me talk about some of the issues that we can do if we are part of the deal that will improve things for the community. Now, let me first of all say, that Range Resources --- we're lucky to partner with a good company like Range.

(Outbursts from audience.)

PRESIDENT DEFAZIO: Okay.

CHIEF EXECUTIVE FITZGERALD: Again, we're very lucky that Range is a good, responsible company that does good work in the community and have partnered with many, many folks. As a matter of fact, I think they've leased about 55,000 acres in that little corner of the region, little corner of the county on private land. So they do good standards. They do a lot of good things. But because of the things that you ask for and the things that we ask for, reaching out to folks who are experts, we elevated on this specific site some of the standards that will improve things for the community.

So in essence, if we really care about the environment, we should be part of this, so we can improve the environment for the folks in that community. Let me start with number one. The DEP requires testing within 2,500 feet of drilling. We are going to require them to add another 1,000 feet to that, so they will have to do testing within 3,500 feet of the well site. They wouldn't be required to do this, but we're going to make them required to do some pre-drilling testing of the water in the community every 90 days. Every three months, they've got to do testing prior to drilling, and then every six

months thereafter; again, testing that wouldn't be required, but we're going to make them a requirement.

And then finally, we're going to --- with respect to water and testing, we're going to require that you use all the best industry practices throughout the term of the lease, not what the DEP requires, but what are the best industry practices throughout the --- throughout the industry. Let me talk about safety, because I know this is something that Councilman Ellenbogen was very much concerned about as your public safety chair. Again, these are requirements that are not part of the normal operation but will be required by us participating in the lease. Number one, we'll require coordination with the local fire departments, and there's two in the park, obviously, Frazer and West Deer, which would include training. Secondly, we're going to have a well control expert on site during the drilling operations. That's very important. We'll have somebody on site to do that. There will also be firefighting apparatus and supplies that will be required to be on site at all times. And then they also are going to be required to have automatic shut-off valves on all of the wells.

So again, it's something I know some folks are concerned about. They wouldn't have to do this if we don't participate. They can go on private land. They've made their own agreements, and some of these things would not be required. The other thing that --- couple of things with respect to the community is noise and light. And they've established a --- noise limitations that will require coordination with local property owners dealing with decibel and noise reduction. Again, something that wouldn't be in there, but because we're participating, if we elect to participate, they will be --- it will be better for the neighbors and the residents in West Deer and Frazer.

Also along with light, light pollution when they use a lot of lighting at the operation. It will require fully shielded lighting and to coordinate in reducing impacts on our Wagman Observatory. And I know many of you went up to visit the Wagman Observatory. It's an absolutely terrific service. It's a terrific amenity that we have in our county. And light pollution can impact your ability to see --- see up into the sky and see the stars. And they're going to coordinate with Wagman to

not disturb some of the star parties that typically happen about once a month up at Wagman.

Roads; I think this is very important for our students that are up there, when it comes to safety. This will be required that they will coordinate with local school districts to limit truck traffic on school bus routes. So again, they would not have to do this if we weren't part of the deal. But if we care about safety for the kids up in that region, I think our coordination and our ability to limit the truck traffic during school hours, is very important. Secondly, we're going to require coordination --- excuse me --- require repaving of all utilized county roads. So when this operation is done, they're going to repave the roads, saving the county taxpayers from not having to do that. And then we're also going to require a road maintenance agreement with the local municipalities up in the community. So we're going to help the folks in Frazer and West Deer, as well as, obviously, the county roads in doing that. And then lastly --- these are just some of the highlights, and we can go through this, and I can answer some questions. But Range is going to be required to host two job fairs up in the community, to help the people. I know this is something Councilman Kress had asked for, for his constituents, about what kind of jobs might be available in this industry. So Range is going to host job fairs to allow people to understand what kind of an educational process they can go through and what kind of jobs are available in this industry, so ---.

And my last thing I wanted to mention was, we've been working on --- the County Manager has for a number of months, something called the Sunset Review. Some of you may have remembered, we passed the last Sunset Review back in December of 2010. The County Manager has been working on this, I think, since June or July of last year. So you know, we've got a draft of what we've been working on with respect to Sunset Review, something that we're going to give to you. And it basically talks about which department should we maintain, which department should we consolidate; how should we function with respect to county government. So that's something that we are working on, as well. And with that, I will open it up for any questions.

PRESIDENT DEFAZIO: Anyone have a question?

Mike?

MR. FINNERTY: Thanks. Rich, in relation to that Sunset Review, was that a committee that did this, or was it just our manager?

CHIEF EXECUTIVE FITZGERALD: I'm trying to remember. I want to say when Jim Flynn was the county manager that they prepared that and then sent it over to us. I don't know if we had to vote on it or just vote to accept it. You know, I can't remember, to be honest with you. It's something we're required in the Charter to do, I think, every five years.

MR. FINNERTY: Well, here's my question. Did we not have some document that was done by a committee, that ---?

MS. LIPTAK: Government Review Commission. You're thinking of Government Review.

MR. FINNERTY: Yeah, that's what I'm thinking of, Government Review Commission.

CHIEF EXECUTIVE FITZGERALD: Okay. Yeah, that was something where you appointed --- or we, when I was on Council ---

MR. FINNERTY: Right.

CHIEF EXECUTIVE FITZGERALD: --- we appointed members to serve on that study and study the operation of county government.

MR. FINNERTY: Okay. Well, thanks for straightening me out on that.

CHIEF EXECUTIVE FITZGERALD: Yeah.

PRESIDENT DEFAZIO: Anyone else have a question? Amanda?

MS. GREEN HAWKINS: Thank you, Mr. President. Thank you, County Executive, for being here this evening. You and I have agreed on some things; we've disagreed on some things. I think one of the things that we really agree on --- excuse me --- is economic development in our region. And a lot of the projects that we've seen, have been seen lately have concerned development of hotels. And we've been hearing in the media recently about efforts to attract the Democratic National Convention, perhaps, in 2016. And I would just like to know your take on where we would be probably in assessment, when it comes to hotel rooms. Because based on the information you provided, it sounds like we have about 5,500 rooms, perhaps. Is that enough? What else do we need?

CHIEF EXECUTIVE FITZGERALD: Well, that's just what's in the city. When the DNC does their analysis,

they look at within --- really within the county and within --- I think it's within a one hour drive. I know you were ---. At the last convention, we were down in Charlotte. We were pretty far away, if you recall. It wasn't all that easy to get there. We were invited by Chair Wasserman-Schultz to submit --- I think there were 30 cities around the country that have been invited to do that. And to be bipartisan, I want to --- when the RNC comes, I'd like to get them, too. I mean, we --- the hotel money is hotel money, so --- and economic development is economic development. The mayor --- Mayor Peduto and I are working with some of the local hotel groups, Visit Pittsburgh, some of the business community, to try to put a plan together. It will probably require some money that we may have to raise privately. Some will probably get some help from the state, but I think it's one of those initiatives, the fact that we're even considered, I think, is a real bonus for this city and for this region. And I think it's something we should take a look at and try to pursue.

MS. GREEN HAWKINS: Thank you.

PRESIDENT DEFAZIO: Okay. Next is Barbara, Heather and Sue.

MS. DANKO: Okay. The last time we went through this with the drilling proposal, I think one of the things that happened were --- was that we did not get a copy of the lease until very late. When will Council get a copy of the draft lease?

CHIEF EXECUTIVE FITZGERALD: Pretty quickly. It's not ready just yet, but I want to say within a week or so.

MS. DANKO: So we'll have it within a week?

CHIEF EXECUTIVE FITZGERALD: Well, if you're going to try to put words in my mouth, I'm going to say, well, I can't ---.

MS. DANKO: That's what you just said.

CHIEF EXECUTIVE FITZGERALD: I said we will try. I said we will try. We're trying right now. So we'll do our best. It's --- I don't control what the lawyers on both sides do. The agreement has been reached.

MS. DANKO: Thank you. Have we hired or utilized ---? Have we, we, the county, utilized any outside counsel?

CHIEF EXECUTIVE FITZGERALD: We have outside experts. Were they outside counsel, Andy?

MR. SZEFI: Yeah.

MS. DANKO: So we have a contract with an outside attorney; who is it?

MR. SZEFI: Was it Beau --- Beau Beard.

CHIEF EXECUTIVE FITZGERALD: Beau Beard is his name.

MS. DANKO: All right. Thank you. When we said that we're going to have more testing of the water, who will do the tests?

CHIEF EXECUTIVE FITZGERALD: Do we have that?

MR. SZEFI: We have an independent state-certified water testing lab.

MS. DANKO: Independent --- can you repeat it so everybody could hear?

CHIEF EXECUTIVE FITZGERALD: An independent state-certified lab will be required to do the testing.

MS. DANKO: Thank you. And there was some other things related to noise and light pollution, and they have to coordinate with the schools. Will the lease have penalties associated with those things if they don't comply?

CHIEF EXECUTIVE FITZGERALD: I'm not sure what the --- can you repeat what the language says.

MR. SZEFI: Yeah. They're required to do traditional lease if they don't do it, yes; so we'll determine.

MS. DANKO: All right. And I'll hold my other questions for when we have the lease. Thank you.

CHIEF EXECUTIVE FITZGERALD: Okay.

PRESIDENT DEFAZIO: Okay. Next was Heather.

MS. HEIDELBAUGH: Thank you. If you --- let me get through this question for the premise, and then you can provide an answer at the end, hopefully. In the Charter in Article 7, in the section on budget and finance, it discusses the Comprehensive Fiscal Plan. And it basically states that the manager shall prepare a Comprehensive Fiscal Plan each year, and the operating budget shall be prepared in accordance with the nationally recognized standard --- and this is the part I'd like you to focus on, County Executive --- be based on a premise that no appropriation in any given year is automatically continued into the subsequent year. And that's in our Charter.

We have just finished with the budget process and the CAFR for 2013. In about nine months or less,

we'll be confronted with a 2014 CAFR operating budget. During the last two budget cycles, '12 and '13 --- which I attended every budget and finance committee meeting with regularity. And I've heard on a number of occasions that a particular department was awarded X last year, and so we should award them at least X or X-plus. My question, as a member of the budget and finance committee and as a member at large is; what are we doing specifically in the county to prevent a violation of the Charter provision against automatic reappropriations? Specifically, what process is the county undergoing to determine independently each year the validity of the expenditures?

I'd like to know the documents that are produced to substantiate are not automatically re-appropriating. I'd like to know those documents, and I'd like to have --- I'd like to see those documents before we enter into a CAFR. I --- I am continually reminded of a quote that you provide us, which is, in the last 13 years, we've only raised the taxes once, but that was the first year in which you were the County Executive. And there has been various rumors and machinations that we're going to be facing that again. So my question goes to, what are we doing in compliance with the Charter, to make sure that we are not just continually spending money and not examining the departments?

CHIEF EXECUTIVE FITZGERALD: Well, first of all, over the last 13 years, as you indicated, we've raised taxes just one time, much lower than the state, federal government or any other government, which I'm very, very proud of.

MS. HEIDELBAUGH: You raised the taxes.

CHIEF EXECUTIVE FITZGERALD: Pardon me?

MS. HEIDELBAUGH: You raised the taxes.

CHIEF EXECUTIVE FITZGERALD: Yeah. Okay. And I remember you going on the radio this year saying I was going to do it again this year. And you went on the Mike Petak Show and said, I under the County Executive ---.

MS. HEIDELBAUGH: I really appreciate the fact that you're listening.

CHIEF EXECUTIVE FITZGERALD: I hear some things. And the budgeting we do is very --- very fiscally sound. It follows the Charter. We follow all the documentation that's provided, and I'm sure the County Manager can provide that. But again, you know, I think on average over the last 13 years, the increase was 1.7 percent

increased lower than the rate of inflation. And at the same time, we increased the fund balance. We increased our bond rating. We put this county on a very sound fiscal --- fiscal path. And we're going to continue to try to do that, and I'm proud of the record, both as a Council member and as a member --- and as the County Executive.

MS. HEIDELBAUGH: Okay. So do I understand you, sir, that you are going to be providing me through the County Manager's office, with the documents that independently determine the validity ---

CHIEF EXECUTIVE FITZGERALD: When you say independently, is that what the Controller does?

MS. HEIDELBAUGH: No. I don't know; County Manager.

CHIEF EXECUTIVE FITZGERALD: Independent of whom?

MS. HEIDELBAUGH: County Manager, pursuant to the Charter, sir. The Charter --- the Charter provides the operating budget shall be prepared in accordance with a nationally recognized standard and be based on the premise that no appropriation in any given year is automatically continued into the subsequent years. So in order to make that determination, there has to be a review. But I appreciate your willingness to have Mr. McKain provide me with the documents that will show us that that review has been done.

CHIEF EXECUTIVE FITZGERALD: Well, Mr. McKain goes through every department ---

MS. HEIDELBAUGH: I look forward to receiving that.

CHIEF EXECUTIVE FITZGERALD: --- all the time and goes through things, so whatever he has we'll be glad to give.

MS. HEIDELBAUGH: Thanks.

PRESIDENT DEFAZIO: Sue?

MS. MEANS: Yes. Good evening, Mr. Fitzgerald.

CHIEF EXECUTIVE FITZGERALD: Good evening.

MS. MEANS: You mentioned what a great job the Public Works Department did with the snow removal, and I heartily agree. But I'm concerned that we were way over budget, that, you know, we didn't budget for that much snow and ice. And I was wondering how much we went over and how we will make up the money that we spent.

CHIEF EXECUTIVE: My estimate is --- they're still compiling the figures, but I'm guessing between \$500,000 and \$1,000,000 that it went over. And we were no different than anybody else, any other municipal government, county government, state government, because of the winter we had, because of the excess salt that we had to purchase. The County Manager will be obviously making some other adjustments, and the department heads will be --- the Department of Public Works will be making some other adjustments. And I don't anticipate that we would have to come back for Council for another appropriation later in the year but, you know, that will remain to be seen. And the charge of the manager is to try to find that money.

MS. MEANS: Thank you.

PRESIDENT DEFAZIO: Any other questions? All right. Okay. Nick?

MR. FUTULES: Thanks, Rich. I didn't hear you tell us --- well, I assume by April the 1st, that you'll have legislation ready for Deer Lakes Park to move forward?

CHIEF EXECUTIVE FITZGERALD: Well, actually, we have legislation tonight. I was going to ask the president if we could place this on the agenda this evening. We obviously didn't have it for Thursday, but we wanted to have it ---.

PRESIDENT DEFAZIO: Well actually --- to tell you the truth, you're actually late if you were going to try to do it now for tonight. Would you mind doing it at the next ---?

CHIEF EXECUTIVE FITZGERALD: That's fine. Whatever you're --- it is ready, so we can provide it for people. We'll put it on the agenda for April 1st. I also would be remiss --- and I think I mentioned this yesterday; I should have mentioned it tonight --- we are going to be holding a hearing. I will be holding a public meeting up in the Deer Lakes High School on April the 2nd. It will be at 7:00, and we're going to have a lot of information or maybe even more detail than I gave tonight, with pictures and graphics and everything. And certainly, people will be invited to participate in that discussion.

PRESIDENT DEFAZIO: Mike, and then --- well, wait a minute.

MR. FINNERTY: I just have a really quick question.

PRESIDENT DEFAZIO: Go ahead.

MR. FINNERTY: What exactly is our bond rating?

CHIEF EXECUTIVE FITZGERALD: Oh, boy. You're asking that ---.

MS. LIPTAK: Double A minus.

CHIEF EXECUTIVE FITZGERALD: Double A minus. They're all different. Fitch's is different than Moody's.

MR. FINNERTY: And we need to --- we need to get that Rich. We had ---.

CHIEF EXECUTIVE FITZGERALD: Yeah. I know we presented that to you before, but we can just --- all three bond rating agencies; where we are on all of them.

MR. FINNERTY: Yeah; right.

PRESIDENT DEFAZIO: Jim?

MR. ELLENBOGEN: Thank you. And before I say anything, I just want to recognize Allegheny County Treasurer John Weinstein. Where is he? Oh, there he is.

The public really gets their money from him, because as the Department of Revenue Enforcement Chief, it amazes me his ability to collect money.

MR. FINNERTY: He gets their money too.

MR. ELLENBOGEN: I wanted to thank him for entertaining the knock-down, drag-outs that you and I have had over public safety over this thing. They should probably tape some of them, you know --- but, I mean, usually ---. We --- a lot of these things we have, you know, I appreciate you listening and us going at it and going back at it. And I just wanted to know, as County Manager McKain, who's always, you know, willing to listen. I wanted to say, as you well know, that every director that you've appointed, you know I always have something to say.

And I believe when --- you know, I questioned you quite a bit about a lot of stuff. But you have --- I had to say, you have an incredible ability to pick the right people for the right position. First of all, I'd like to thank all the directors that are here, and their deputies and their staffs, for the help that my staffs and myself get; that you know, for the things that I need. I just wanted to recognize a couple Chief Superintendent Moffatt, who's always available and, I believe, does a stellar job. Director Cherna --- I mean, you're about one gold medal short of Jim Thorpe, but I suspect that you'll have that probably by the end of the year.

Congratulations again, and the county is very lucky to have you lead us. Is Director Hacker here?

CHIEF EXECUTIVE FITZGERALD: She's hiding in the back. I see her hand waving.

MR. ELLENBOGEN: You know what? When you first came here, I have to say that I have been thoroughly impressed with your ability to hit the ground running and to think out of the box like nothing I've ever seen. I mean, even that thing with the measles thing, I mean, what a stellar find for this county in your ability. So you should be congratulated in finding her, because she is just absolutely amazing, just the things that I've seen. So congratulations on --- and I look forward to so many other things that you ---. Doors are going to open up that are forbidden, probably. Director Johnson of Public Works, congratulations on a good winter. And you know what I'm going to say, Rich. I'm just very happy to tell you that 90 percent of your field supervisors were my supervisors back in the '90s --- so you can give me some credit for picking some of them later on.

CHIEF EXECUTIVE FITZGERALD: Thank you. Thank you, Director Ellenbogen.

MR. ELLENBOGEN: Yes. For sure, I had to get that in there. Chief Henderson --- I mean, I guess your leadership and your reputation is stellar among emergency people. Your leadership is going to be needed. You're very well thought of in the emergency community. I mean, I think you're a great leader and I feel a lot more comfortable knowing that you're kind of at the helm here, so --- just so you know, because I do aggravate him quite a bit about this, as I have aggravated you, I'm sure. But thank you and I just --- and to all of the other directors, I don't want to be remiss. Thank you for your service and for the hard work that you do and for everything that you do to make me look like --- no one even wants to run against me because of you guys; so thank you.

PRESIDENT DEFAZIO: Jim, are you sure you didn't run for something?

MR. ELLENBOGEN: Yeah. It's already taken. You're sitting there. I voted for him when none of you would.

PRESIDENT DEFAZIO: I wasn't even voting for myself then.

MR. ELLENBOGEN: But I voted for you.

PRESIDENT DEFAZIO: That's true. Okay. Are there any other questions for Rich, the County Executive? You missed the boat. I'm sorry. You're number two, go ahead. The reason why I didn't get to you is this is your second time going. Go ahead.

MS. HEIDELBAUGH: I wanted to ask you some questions about your remarks in regard to Deer Lakes. You asked that County Council members come over and speak with you yesterday, and I did participate in that. You indicated today that --- you said, we started to negotiate and you guys had a lot of input. I just want to make it clear for the record that at no point was I asked to participate in the negotiations ---

CHIEF EXECUTIVE FITZGERALD: Oh, yes, you were; absolutely, you were.

MS. HEIDELBAUGH: Let me finish. Let me finish.

PRESIDENT DEFAZIO: (Gavels).

CHIEF EXECUTIVE FITZGERALD: I want to correct the record.

MS. HEIDELBAUGH: No, you correct the record when it's your turn.

CHIEF EXECUTIVE FITZGERALD: Okay. That's fine.

MS. HEIDELBAUGH: It's my turn.

(Applause.)

MS. HEIDELBAUGH: At no time was I ever asked to participate in negotiating a lease. And as I understand this, we, the County Council, will be presented with a negotiated --- fully negotiated lease that we will be able to either vote yes to ---. We're going to have, in essence, two options. One, we don't like the terms of the lease that your --- that you and your team negotiated; or two, we don't want --- we don't want drilling in the parks. And our vote will have nothing whatsoever to do with the actual terms of the lease, because that has already been done, as you put in your press release yesterday. Do I understand that correctly?

CHIEF EXECUTIVE FITZGERALD: Well, first of all, the role of Council is to approve land use, but I took it a step farther and asked all members of Council for input in the negotiation. So I can --- I mean, if I have to, I could present my Chief of Staff and County Manager, who were there in the meeting in my office when I offered that to you, to be able to put things into the lease that you would like to see. That's exactly what happened.

MS. HEIDELBAUGH: And do you also recall me asking you to see the lease, and I still don't have it?

CHIEF EXECUTIVE FITZGERALD: We don't have a lease. It's not done yet, that's why.

MS. HEIDELBAUGH: Well, then how can I negotiate the terms of a lease without a lease?

(Outbursts from audience.)

CHIEF EXECUTIVE FITZGERALD: You asked ---.

PRESIDENT DEFAZIO: You people are all going to speak, so let's let --- when people are speaking, you know, let's be courteous a little --- you know, everybody's going to get a turn. Just let them speak. And when you guys get up to speak, we don't bother you. Go ahead.

MS. HEIDELBAUGH: So I just want to --- just want to make the public aware. And the other thing is that yesterday --- and I believe you agreed, but if not, perhaps you can --- you can disagree with me on the record here --- I asked you if you would make sure that the public, who is so interested in this issue and who have attended these meetings with great regularity and with fervor. That they be respected, that they be given a full and fair opportunity to voice their concerns. To learn all of the information for us to hear from them, for us to be able to talk to Range Resources, so that whatever the vote is, that everyone feels at least that they have had respect and have been fully heard. And I think you agreed with that.

CHIEF EXECUTIVE FITZGERALD: I do, and again, the process is now in your room for the 15 of you to decide when you go through this process, to vote it up or down, to hold hearings, to hold meetings, to do whatever you want. I've offered --- I'm going to hold a meeting in a couple of weeks --- in a few weeks. The public will be invited to participate. I think, actually, the public has been participating for the last number of months, if I --- if the reports I'm getting are pretty accurate. I've met with many of the groups that are here tonight. I've met with them many, many times and we'll continue to meet with them. I'm glad to do that. I think we do need to hear from all sides to weigh the benefits and the costs of what this is worth or not worth to this county and for the people in this community. So I fully intend to hear that and respect all voices that come through.

MS. HEIDELBAUGH: Thank you.

PRESIDENT DEFAZIO: Any other --- yes? Go down this way. Go ahead, Mike.

MR. FINNERTY: Okay. Thank you. I'd just like to mention a few people that came to the Budget and Finance Committee, some of our directors that came in and told us about their department and what they do. William McKain came in and gave us a great presentation about the budget, the whole budget area that we have, with Warren. Katie Barkman came in and some of the articles you're seeing in the paper right now are because of her bringing up at our Budget and Finance Committee meeting about the microfiche, which is something that I had 40 years ago in college. It doesn't really work anymore. But we're still --- all 67 counties in Pennsylvania are still required to do that, and that was one of the things that Kate brought to us. And also, you know, she did a tremendous job there, and we have the papers for the presentation, so if you didn't get any, you should have got it in your e-mail. And also, Steve Kossert came in and gave us a good presentation about the facilities department which he is heading up now, the new facilities department. And we really appreciate that. I think it's important for us, as councilmen and councilwomen, to know what our directors do and to get information in regard to that. And I think that this process is bringing that out. This Wednesday, tomorrow, at 4:00, Dennis Davin, our head of Economic Development and Housing --- or Economic Development, I'm sorry; not Housing, that's Rich Rayhan (phonetic) I believe, but --- is going to be in to give us a presentation about what his department does. So I think it's important that even if you're not on a committee that you come to the meeting and hear our directors and what they do and what their problems are. Thank you very much.

PRESIDENT DEFAZIO: Okay. Are there any other comments? Seeing none, thank you very much.

CHIEF EXECUTIVE FITZGERALD: Thank you, Mr. President. I enjoyed being here. I hope to see you, I guess, if most of you can make it on the 2nd at our next meeting. Thank you.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

SHORT BREAK TAKEN

PRESIDENT DEFAZIO: Okay. We're going to get started here. We are on Public Comment on Agenda Items. I have Chelsa Wagner, Controller.

MR. CATANESE: Is she here?

DEPUTY GRISER: No, she asked me as her deputy to read this into the record.

PRESIDENT DEFAZIO: Yeah, there's ---.

MR. FINNERTY: I do have a question about this. We're talking about, I believe, 8151-14. That's the resolution.

DEPUTY GRISER: I believe that's correct.

MR. CATANESE: Amy, come up to the podium.

MR. FINNERTY: I wasn't stopping you.

DEPUTY GRISER: I thought I needed to be recognized. I don't know ---.

MR. FINNERTY: Yeah. You recognized her; right?

PRESIDENT DEFAZIO: Well, sure.

DEPUTY GRISER: It's also nice to be here with you all tonight.

MR. FINNERTY: Here's what the question is.

DEPUTY GRISER: Okay.

MR. FINNERTY: My question is this, you're talking about moving funds. According to our Code, Article 805, transfer of funds, can be done upon recommendation of the Chief Executive to County Council. You're the Controller; Chelsa's the Controller. She's not, the Chief Executive. So if we look at this Article 805 from the Code, this is, actually, to me it's an illegal resolution, because it's not coming from the Chief Executive to Allegheny County Council ---

MS. HEIDELBAUGH: Point of Privilege.

MR. FINNERTY: ---, if I can finish what I'm saying.

PRESIDENT DEFAZIO: Let him finish.

MR. FINNERTY: Thanks.

MS. HEIDELBAUGH: I think this is out of order.

PRESIDENT DEFAZIO: No, it's really not out of order. Let him explain it, but I will let you say something.

MR. FINNERTY: It says in this operating budget appropriations transfers; that upon the recommendation of the Chief Executive. County Council, by resolution, may make transfers within between departments, offices, agencies, forming any new account at anytime. Transfers are reallocations of approved appropriations in the operating budget and among capital projects and in grants. So what I'm saying is that this is the territory of the

Chief Executive. It's not the territory of the Controller. That's what I'm saying ---

DEPUTY GRISER: Yeah.

MR. FINNERTY: --- according to Article 805.

DEPUTY GRISER: Yeah. And I'm not an attorney.

MS. HEIDELBAUGH: Point of order.

PRESIDENT DEFAZIO: Okay. What's your point?

MS. HEIDELBAUGH: My point is that never once in two years, have I ever seen a council member comment about a person who rises to speak at public comment. They rise from the audience, ---

PRESIDENT DEFAZIO: Okay.

MS. HEIDELBAUGH: --- they speak and there's no comment. There's no questioning ---.

PRESIDENT DEFAZIO: No, your point --- you're out of order, and I'll tell you why. He is basically correcting what he's saying. It's a question. It's never been done before, especially for ---. Chelsa isn't even here. So in this particular case, he's right. So yeah, he's not doing anything that's improper here. So based on everything he's saying --- I mean, he's right. I can't let you speak. When it comes to that item, we'll put it in committee later. But to keep everything going the right way, so they can't say there's another practice that's going against the Code, I would let you speak then, based on the Code.

DEPUTY GRISER: I respectfully accept that decision as president of Council. It was our understanding as an independently elected official and our --- my being her deputy, I can sign any documents on behalf of the controller, that I could speak at public comment on agenda items.

PRESIDENT DEFAZIO: Yeah. Basically, what he said is right, and she's not even here, so that saves that argument.

DEPUTY GRISER: Yeah.

PRESIDENT DEFAZIO: So what I would say is, let it go. When it comes up there and we put it in committee and talk about it, legally we're going to get everybody involved, and we'll go from there.

DEPUTY GRISER: Okay.

MS. GREEN HAWKINS: I do, Mr. President, and I'm not trying to be disrespectful. I just want some clarification. I thought that the public comment period was for the public to comment on either agenda topics or a

non-agenda topic. So I think maybe that there might be an issue with the portion of the agenda on which she wants to speak. However, I'm not sure or comfortable that we can quash the speech. And that's where I get a little concerned, because we're a government entity. And if we restrict speech based on content, we have a First Amendment problem, I believe. Now this is just off the top. I'm out of law school ten years or so, but this is what I remember. I'm just concerned about that and I'm like, perhaps, maybe if we would go to executive session --- let's do that, or perhaps Jack Cambest ---.

MR. CAMBEST: We don't need to go to executive session.

MS. GREEN HAWKINS: Thank you.

MR. CAMBEST: You're correct that nobody is questioning the content of the speech. We're questioning when --- when she has the ability to speak. And because Ms. Wagner is not here, it is then the prerogative of the president to recognize any speaker. Okay? And as I understand it, we're not going to recognize the deputy because Ms. Wagner is not here. Now, Mr. Finnerty raised a legal question, though. As Mr. DeFazio said, once it goes into committee, any council member can ask for a legal opinion on whether or not that bill would then be properly before the council for a vote --- or properly before the committee even for recommendation.

I'm assuming, based on Mr. Finnerty's response that they will ask for that when it goes into committee. Now, based on just looking at it on the face, it doesn't seem to be a proper bill, based on the fact that the controller has no authority to make transfers or even recommend to Council transfers. It's done by the Chief Executive. That's always the way it has been here, based on our rules. So I think we have to separate those two issues. Is the prerogative to recognize her to speak? He's emphasizing that prerogative, and it's not going to, not on the content of which she's going to talk about, but the fact that Ms. Wagner isn't here to speak on the agenda item.

Now if she wants to speak on a non-agenda item at the end of the meeting, she's clear to do so, just as anybody in the room can on a non-agenda item.

MS. GREEN HAWKINS: Well, in that case, I apologize to our Council President, because I misunderstood. I thought that he was saying that she

couldn't speak, not because she wasn't Mrs. Wagner, but because of what Mr. Finnerty was saying at the time.

MR. CAMBEST: No, no. That is a separate issue ---

MS. GREEN HAWKINS: But I apologize for that misunderstanding.

MR. CAMBEST: --- to discuss the legal basis.

PRESIDENT DEFAZIO: Go ahead, Heather.

MS. HEIDELBAUGH: Yes. So Mr. Cambest --- may I ask Mr. Cambest a question?

PRESIDENT DEFAZIO: Go ahead; yeah.

MS. HEIDELBAUGH: Are you making a ruling, then, that Mr. DeFazio has the right to determine on an ad hoc basis, what deputies can speak and what deputies cannot? Or is he making a ruling that for all time now, all deputies cannot speak ---

PRESIDENT DEFAZIO: Yes.

MS. HEIDELBAUGH: --- because we've had history of deputies speaking, including Ms. Liptak.

MR. CAMBEST: The president has the prerogative at any time to recognize a speaker. As I understand it, he's not recognizing this speaker because Ms. Wagner signed up.

MS. HEIDELBAUGH: So ---.

MR. CAMBEST: And it's not to mean that in the future he cannot recognize ---.

MS. HEIDELBAUGH: So he can go back and forth? He can decide whatever he wants?

MR. CAMBEST: That's his prerogative.

PRESIDENT DEFAZIO: Okay. Go ahead.

MS. MEANS: I think there's some shenanigans going on here, and that is because she was all ready to speak 'til my esteemed colleague brought up the content of her speech.

MS. HEIDELBAUGH: Yep.

MS. MEANS: I would like to hear her speak, and I am very uncomfortable that she is not allowed to speak this evening. And I think the issue was the content and not that she wasn't Chelsea Wagner, so ---. So I don't think its right that you can recognize some directors and not ---. That is your prerogative, but I request --- I respectfully request that she be allowed to speak.

(Applause.)

MR. CAMBEST: I'll refer you to the Allegheny County Council Rules of Council, page nine, public

participation and comment, sub-paragraph four. Speakers may not allocate or defer their scheduled time to another speaker. A speaker's unavailability to proceed at the time his or her name is called will result in cancellation of the opportunity to speak at that meeting. The president may waive this rule in the individual circumstances. So if you want to change that, you need to change the rules; but he has the prerogative to waive it. And he's exercising his prerogative not to do that.

PRESIDENT DEFAZIO: Let me say ---. Let me say this. I'm a rules person; I go by the rules. If someone proves me wrong, and he would have said I'm wrong, I will listen. But she is allowed to speak if she waits to the end. So if anyone can correct me on rules, I'll be more than happy to change my thinking. But I go with the rules. I don't just do things because I'm mad at someone or --- I go by the rules. So that's my opinion and he agrees with it, so I think that argument is actually over. If she wants to speak later, she can.

DEPUTY GRISER: Just for clarification before I ---, am I able to speak on agenda items at the end of the meeting?

MR. CAMBEST: No, you'd be ---.

DEPUTY GRISER: So I'm prepared to speak on an agenda item.

MR. CATANESE: You can speak on anything you want.

MR. FINNERTY: You can speak about anything.

MR. FUTULES: Do you want to speak on it?

DEPUTY GRISER: On agenda items?

MR. FINNERTY: On anything.

MR. FUTULES: Are you signed up to speak?

Ms. GREEN HAWKINS: Mr. President, I understand that the Controller is not here. She has sent her deputy instead. And I know that sometimes we give deference to elected officials and, perhaps, their deputies who come in and speak. And I would just, perhaps, ask respectfully, Mr. President, if you could allow Ms. Griser to speak at this time instead of waiting until the end of the agenda. And I would respect your decision; yes or no.

PRESIDENT DEFAZIO: Yeah. Well, I would say no, only because other things can happen when you start something, then they bring up a past practice --- we've done it before --- and I think we ought to stay with the rules. And Jack Cambest, being he administers the

parliamentarian part of this and he made the ruling, if he would say I was wrong, I would go along with it, but he didn't. So I would say no. She can speak later, on anything she wants.

DEPUTY GRISER: I just want to say that I think it's unfortunate that you didn't waive the rule, my being here prepared as Chelsea's Deputy. But I'll be happy to wait until the end.

PRESIDENT DEFAZIO: Okay. Thank you. All right. Okay. We have --- Joe, we have no other agenda ---?

MR. CATANESE: No.

PRESIDENT DEFAZIO: Okay. Presentation of Appointments. 8145-14.

MR. CATANESE: Approving the reappointment of Thomas Headley, to serve as a member of the Agricultural Land Preservation Board, for a term to expire on December 31st, 2016. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That would go into the Appointment Review Committee. 8146-14.

MR. CATANESE: Approving the appointment of Thomas Weaver, to serve as a member of the Agricultural Land Preservation Board, for a term to expire on December 31st, 2016. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That would go to the Appointment Review Committee. 8147-14.

MR. CATANESE: Approving the reappointment of William Sray, to serve as a member of the Agricultural Land Preservation Board, for a term to expire on December 31st, 2016. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: We have some Unfinished Business.

MR. CATANESE: Do you want to put that in committee?

PRESIDENT DEFAZIO: Pardon me?

MR. CATANESE: You want to put that in committee?

PRESIDENT DEFAZIO: Yeah, put it in Jan Rea's committee. Okay. Committee on Appointment Review, Second Reading. 7992-14.

MR. CATANESE: Approving the appointment of Denise Macarelli, to serve as a member of the Allegheny County Mental Health/Intellectual Disability Advisory Board, for a term to expire on December 31st, 2016. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Jan?

MS. REA: Yes. The Appointment Review Committee met and interviewed Denise Macarelli for an appointment to the Allegheny County Mental Health/Intellectual Disability Advisory Board, and I make a motion for her approval.

MR. MACEY: Second.

PRESIDENT DEFAZIO: Under remarks and seeing none, all those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it.
8054-14.

MR. CATANESE: Approving the reappointment of Chester Babst, Esquire, to serve as a member of the Air Pollution Control Advisory Committee, for a term to expire on December 31st, 2014. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Jan?

MS. REA: Yes. The committee met and interviewed Mr. Babst for reappointment to the Air Pollution Control Advisory Committee, and I make a motion for approval.

MR. MACEY: Second.

PRESIDENT DEFAZIO: Under remarks, Sue?

MS. MEANS: I don't know if this is the correct time to say it or not.

PRESIDENT DEFAZIO: Yeah.

MS. MEANS: I've been participating in the Appointment Review Committee, and I wanted to say that the candidates are outstanding and --- they all are. But particularly, I've been very pleased with the Pollution Control Board. They are a great mix of people representing industry and, at the same time, community advocates. And I just want to say that I highly recommend these candidates.

PRESIDENT DEFAZIO: Okay. Any other remarks? Seeing none, all those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it.
8055-14.

MR. CATANESE: Approving the reappointment of Daniel K. Bricmont, Esquire, to serve as a member of the Air Pollution Control Advisory Committee, for a term to expire on December 31st, 2014. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That would be Jan.

MS. REA: Thank you. The Appointment Review Committee met and interviewed Mr. Bricmont for reappointment to the Air Pollution Control and Advisory Committee, and I make a motion for his approval, please.

MR. FINNERTY: Second.

PRESIDENT DEFAZIO: Under remarks; seeing none, all those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it.
8056-14.

MR. CATANESE: Approving the reappointment of David Cannon, to serve as a member of the Air Pollution Control Advisory Committee, for a term to expire on December 31st, 2014. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Jan?

MS. REA: Thank you. The committee met and interviewed Mr. Cannon for reappointment for the Air Pollution Control and Advisory Committee, and I make a motion for his approval.

MS. MEANS: I second it.

PRESIDENT DEFAZIO: Under remarks; seeing none, all those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it.
8058-14.

MR. CATANESE: Approving the reappointment of Dr. Michael Finewood, to serve as a member of the Air Pollution Control Advisory Committee, for a term to expire on December 31st, 2014. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Jan?

MS. REA: Thank you. The committee met and interviewed Dr. Finewood for reappointment to the Air Pollution Control and Advisory Committee, and I make a motion for his approval.

MS. MEANS: I second it.

PRESIDENT DEFAZIO: Second. Any remarks? Jan?

MS. REA: Thank you, Mr. President. I do have a comment. The Chief Executive did mention that for the first time, I guess, we were in attainment, I guess, all of our numbers. And I think you can attribute it to the expertise and the dedication of the --- certainly, the Health Board and this committee. I mean, they're really a good group of people, and I reiterate what council --- what my colleagues said, but it's just a really hard-

working group of people. Thank you. So I make a motion for its approval.

MS. MEANS: I second it.

PRESIDENT DEFAZIO: Okay. Any remarks? Seeing none, all those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it. We have the Committee on Economic Development and Housing, Second Reading. 7964-14.

MR. CATANESE: A resolution of the County Council of Allegheny County, amending the Potato Garden Run Tax Increment Financing Plan and authorizing related actions. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Amanda.

MS. GREEN HAWKINS: Thank you, Mr. President. Move for approval.

MR. FINNERTY: I'll second that.

PRESIDENT DEFAZIO: Under remarks; seeing none, all --- oh, that's a roll call. Go ahead.

MR. CATANESE: Mr. Baker?

MR. BAKER: Aye.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Nay.

MR. CATANESE: Mr. Kress?

MR. KRESS: Yes.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Yes.

MR. CATANESE: Ms. Means?

MS. MEANS: Yes.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. CATANESE: Ms. Rea?

MS. REA: Yes.

MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. DeFazio, President?
PRESIDENT DEFAZIO: Yes.
MR. CATANESE: Ayes, 14, noes, 1. The bill
passes.
PRESIDENT DEFAZIO: 7963-14.
MR. CATANESE: A resolution of the County
Council of Allegheny County, creating the Westport Tax
Increment Financing District and authorizing related
actions. Sponsored by the Chief Executive.
PRESIDENT DEFAZIO: Go ahead Amanda.
MS. GREEN HAWKINS: Thank you, Mr. President.
Move for approval.
MR. ROBINSON: Second.
PRESIDENT DEFAZIO: Under remarks; seeing none,
we'll have a roll call.
MR. CATANESE: Mr. Baker?
MR. BAKER: Aye.
MR. CATANESE: Ms. Danko?
MS. DANKO: Aye.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: Aye.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: Yes.
MR. CATANESE: Mr. Futules?
MR. FUTULES: Yes.
MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Nay.
MR. CATANESE: Mr. Kress?
MR. KRESS: Yes.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: Yes.
MR. CATANESE: Ms. Means?
MS. MEANS: Yes.
MR. CATANESE: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.

MR. CATANESE: Mr. DeFazio, President?

PRESIDENT DEFAZIO: Yes.

MR. CATANESE: Ayes, 14, noes, 1. The bill passes.

PRESIDENT DEFAZIO: 8124-14.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the acceptance on behalf of the County, used desks, conference table, file cabinets, work stations, movable file storage systems, other office furniture and related personal property, for the 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 to the county, pursuant to a donation program sponsored by the Allegheny County Bar Association. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Bob?

MR. MACEY: Yeah. Thank you, Mr. President, and members of Council. The Public Works Committee met on March 12th, 2014, and this ordinance was sent to the full council with affirmative recommendation. Therefore, I make a motion to accept 8124.

MR. ROBINSON: Second.

MR. FINNERTY: Second.

PRESIDENT DEFAZIO: Okay. Under remarks; seeing none, let's have a roll call.

MR. CATANESE: Mr. Baker?

MR. BAKER: Aye.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

MR. CATANESE: Mr. Kress?

MR. KRESS: Yes.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Yes.
MR. CATANESE: Ms. Means?
MS. MEANS: Yes.
MR. CATANESE: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. DeFazio, President?
PRESIDENT DEFAZIO: Yes.
MR. CATANESE: Ayes, 15, noes, 0. The bill

passes.

PRESIDENT DEFAZIO: Liaison Reports. Anybody have anything? Mike?

MR. FINNERTY: Thank you, Mr. President. I'd just like to remind everyone --- I think I talked about this last meeting --- that this Sunday, March 23rd, at 2 p.m., at Soldiers and Sailors ---

PRESIDENT DEFAZIO: Yeah.

MR. FINNERTY: --- there will be inductions into the --- sorry --- Hall of Valor, which --- there will be 15 servicemen and women inducted into the Hall of Valor that day. So it's --- it would be --- it's open to the public. There is no charge for it. And if I might, could I just say their names?

PRESIDENT DEFAZIO: Go ahead.

MR. FINNERTY: Thank you; and what awards they have? This is USCT Army, James H. Bronson. He's from Indiana and Allegheny County, and he has a Medal of Honor in the Civil War; U.S. Army, William J. Carson, Washington County, Fallowfield Township, a Medal of Honor in the Civil War; U.S. Air Force, Robert J. Cervi --- that's Beaver County, Aliquippa --- Distinguished Flying Cross in Vietnam; U.S. Army, Thomas J. Cullison, Allegheny County, Brookline, Civil Star Medal for World War II; U.S. Army, Michael J. Hluhan --- he's Allegheny County, Coverdale --- Silver Star Medal, World War II; U.S. Army, Stanley P. Klapkowski --- and I believe he was in the paper recently; he's from Allegheny County, McKees Rocks --- Silver Star Medal, World War II; U.S. Army, Arthur Nagy, Allegheny County, McKeesport, Soldiers Medal, World War II; U.S. Army, William Gus Pagonis, Washington, Centre County, Silver Star, Vietnam; U.S. Army, Lucian Piotrowski, Beaver County, Aliquippa, Silver Star Medal, World War II; U.S.

Marine Corps, Michael Popichak, Allegheny County, Carnegie, PA, Silver Star Medal, World War II; U.S. Army, Guerrino J. Prola, Indiana County, Blairsville, Silver Star, World War II; U.S. Army, Michael J. Roth, Allegheny County, Pittsburgh area, Silver Star Medal, World War II; U.S. Army, James E. Stadelmaier, Allegheny and Armstrong County, Silver Star Medal, Korea; U.S. Army, William J. Sweeney, Allegheny County and Cumberland Counties, Silver Star Medal, World War II; and U.S. Army, Richard R. Waldron, Allegheny County, North Side, Silver Star Medal, World War II.

These people are going to be inducted into the Hall of Valor at 2 p.m. this Sunday, at Soldiers and Sailors. So if you would like to be there --- like I said, there is no admission charge, and they served the country well. So I thank you very much, Mr. President.

PRESIDENT DEFAZIO: Okay. Any other liaison report? Bob Macey.

MR. MACEY: Yeah. Thank you, Mr. President, and members of Council. I'd just like to remind the residents of Allegheny County as well as, most importantly those in the Mon Valley that may know Diallo Mitchell. And there's going to be a fundraiser for Diallo Mitchell. He was caught in an unusual --- unfortunate situation where he was hit with a bullet --- stray bullet and he became paralyzed. This gentleman is a fine gentleman and is a -- -- was a star athlete at West Mifflin High School. And he was scheduled to --- got a full scholarship to Grove City College. Unfortunately, Mr. Mitchell now is paralyzed from the waist down. He is an inspiration to people in the community. He was honored at a community event at West Mifflin High School as to his inspiration to those around him and the spirit that he has, even though he has become, unfortunately, paralyzed.

This event will take place Saturday, March 29th; so this is a spaghetti dinner from 12 to 7, so before you go and watch the Madame Presidenta on television, stop by the Duquesne/McKeesport Masonic Hall, pick up your spaghetti and go home and watch this fine movie, as well. That's all I have, sir. Thank you.

PRESIDENT DEFAZIO: Any other --- go ahead.

MR. BAKER: Thanks, Mr. President. If you enjoy spending your Tuesday nights together, next Tuesday night we've got the Fifth Annual Pittsburgh Service Summit. It's for Get Involved, a non-profit that I founded years

back. We're expecting about --- between 400 and 500 people there. We've got some great speakers coming to share in the event; Patrice Matamoros, who was the Dapper Dan Woman of the Year, Dan Gilman. He's the new city councilman. The County Executive will be there, Aradhna Oliphant from Leadership Pittsburgh and Jim Hunt, who's from Amazing Cities. It's a great event. If you're 18, there's ways to get involved in the event; if you're 88, there's ways to get involved in the event. It's just a really nice community gathering at Carlow University next Tuesday. Just let me know if you want to come. It should be a lot of fun. Again, we're expecting 400 people who care about the community and want to make it a new better place. Thanks.

PRESIDENT DEFAZIO: Any other liaison reports? Seeing none --- okay. We'll move on to New Business, Ordinances/Resolutions. 8148-14.

MR. CATANESE: A resolution of the County of Allegheny, amending the 2008 Capital Budget for Allegheny County. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That will go to Budget and Finance Committee. 8149-14.

MR. CATANESE: A resolution of the County of Allegheny, amending the 2011 Capital Budget for Allegheny County. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That will go in the Budget and Finance Committee. 8150-14.

MR. CATANESE: A resolution of the County of Allegheny, amending the Grants and Special Accounts Budget for 2014 (Submission 4-14). Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That will go to Budget and Finance Committee. 8151-14.

MR. CATANESE: A resolution of the County of Allegheny, approving certain interdepartmental transfers in the operating budget for the fiscal year beginning January 1st, 2014 and ending December 31st, 2014. Sponsored by the County Controller.

PRESIDENT DEFAZIO: That will go to Budget and Finance Committee. 8152-14.

MR. CATANESE: A resolution of the County of Allegheny, Commonwealth of Pennsylvania, encouraging and investigating the opportunity and formulation of policies governing the closure of the Roberto Clemente Bridge, to be used as a venue for various events, to facilitate

advertising for such events and to investigate improvements to the infrastructure which would enhance the Roberto Clemente Bridge and other county-owned bridges, to attract events and create sponsor revenue. Sponsored by Council members Kress, DeFazio and Baker.

PRESIDENT DEFAZIO: That will go into the Marketing Committee. 8153 ---.

MS. MEANS: I would like to hear Mr. Kress talk about this bill. Is that possible?

PRESIDENT DEFAZIO: Do you want to say a couple words?

MR. KRESS: Okay; sure. Yeah, when it's in committee --- only I just wanted to say, what we're trying to do is explore different possibilities with our bridges. I mean, they're just not used for transportation. They're used for events. We're trying to raise money for the county. And if you have an interest in it, KDKA has a story on it today with Dave Crawley. So if you watch the news tonight or tomorrow morning, we'll talk about it. But I think there's a lot of possibilities out there, but I think some of the people in the community come up with ideas too about what we can do with our bridges; have parties, events. The bridge is closed at times, the Roberto Clemente is. What can we do if that bridge was closed; have vendors on it? There's a lot of possibilities. It just comes down to having a vision, and that's the thing.

If the people in this community have a vision, I think we can utilize the bridges in a way that will benefit everybody in the community. So thank you very much.

PRESIDENT DEFAZIO: Okay. 8153-14.

MR. CATANESE: A resolution of the County of Allegheny, Commonwealth of Pennsylvania, urging the General Assembly and the governor to enact Senate Bill 372, an act amending Title 42 (Judiciary and Judicial Procedures) of the Pennsylvania Consolidated Statutes, further providing for form of permanent ---

MR. FINNERTY: Recordation.

MR. CATANESE: --- recordation and for copies of destroyed records laid on the table by the Senate on April 10, 2013, with all deliberate speed. Sponsored by Council members Finnerty, Futules, Macey, Martoni, Means, Palmiere and Rea.

PRESIDENT DEFAZIO: Okay. That will go to Government Reform.

MR. KRESS: Can I add myself as a sponsor?

PRESIDENT DEFAZIO: Yeah.

MR. KRESS: Okay. Thank you.

PRESIDENT DEFAZIO: Okay. New Business, Motions.

MR. MARTONI: John, under New Business, Motions, I have a new motion.

PRESIDENT DEFAZIO: Okay.

MR. MARTONI: Shall I bring it up now or wait until ---?

PRESIDENT DEFAZIO: We'll do it right now. We have all the business here for ---.

MR. MARTONI: I thought it would be good to bring it up now. The motion reads ---.

PRESIDENT DEFAZIO: Do you have it to pass out?

MR. MARTONI: Yeah, I have it to pass out; I'm sure. I'll pass it out this way; okay? This was a request I have to bring up; okay?

MOTION DISTRIBUTED

MR. MARTONI: Okay. After I pass it out, I'll read it.

PRESIDENT DEFAZIO: Okay. Yeah; wait one second.

MR. FUTULES: Is this a motion?

MR. MARTONI: Yeah, this will be in the form of a motion. Let me read it so you'll know what the motion is; okay?

MR. FUTULES: Do you need a copy?

MR. MARTONI: Okay. Let me read it; okay? To hold a public hearing in collaboration with the Clean Rivers Campaign to examine cost effective and innovative green solutions to federally mandated ALCOSAN sewer fix. County Council has an important role to play in the region's largest ever public investment, by approving ALCOSAN leadership. The public hearing will bring together experts and constituents from across the region, who can speak to the economic, environmental and social benefits of a plan that invests in green --- green infrastructure, first paired with the right style --- right size gray strategy, to solve the region's water quality problems. And keep in mind that water is our most important resource.

MR. ROBINSON: Second.

MR. MACEY: Second.

PRESIDENT DEFAZIO: Chuck, you made a motion?

MR. MARTONI: I made --- yeah, made a motion.

PRESIDENT DEFAZIO: Okay. Seconded.

MR. MARTONI: Good.

PRESIDENT DEFAZIO: Mr. Robinson seconded it.
Any remarks? Mike?

MR. FINNERTY: I'd just like to also be a sponsor to this, if possible.

PRESIDENT DEFAZIO: Okay.

MR. FINNERTY: And I just want to make one comment. Green (sic) Rivers has been holding a number of different --- Clean Rivers; I'm sorry --- and they want green rivers, too; but they've been holding a number of events. I mean, Barbara has been to a few of them, and then I've been to a few of them and ---. But I don't know if they have any coming up, but they do usually e-mail us in regard to it. So if you see an e-mail about it, I think it would be a great thing if you could just attend one or two of them.

PRESIDENT DEFAZIO: Any other remarks? Seeing none ---.

MR. FUTULES: Are we trying to pick a date to have a hearing?

PRESIDENT DEFAZIO: No, we're going to vote to ---.

MR. MARTONI: We're just going to vote to have it, and we'll work that out later.

MR. FUTULES: Okay.

PRESIDENT DEFAZIO: Okay. There's a motion and a second. All those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? Okay. The ayes have it. Okay. New Business, Motions. 8154-14.

MR. CATANESE: Authorizing Allegheny County Council to conduct a public hearing pursuant to the Pennsylvania Municipalities Planning Code, 53 P.S. Section 10101, to afford interested parties an opportunity to express their views on the proposed amendment to the Transportation Element of Allegheny Places, the county's Comprehensive Plan. Pursuant to Council's rules, the council president shall appoint a presiding officer for the hearing. Sponsored by Council member Green Hawkins.

MR. ROBINSON: Second.

PRESIDENT DEFAZIO: Are you going to say anything?

MS. GREEN HAWKINS: Thank you, Mr. President; and thank you for the second on the anticipation for the motion, Mr. Robinson. The hearing is scheduled to occur on April 9th at 4:00 p.m., here in the Gold Room.

PRESIDENT DEFAZIO: Okay?

MR. MACEY: I'd like to be a co-sponsor.

PRESIDENT DEFAZIO: Joe, you could ---. Okay. Any other comments? Seeing none, all those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it. Notification of Contracts. 8155-14.

MR. CATANESE: Summary of the approved executive actions created for all departments, from 2/1/14 to 2/28/14, to be received and filed.

MR. MARTONI: I move to receive and file.

MR. FINNERTY: Second.

PRESIDENT DEFAZIO: Okay. Any comments? Seeing none, all those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it. We will now have Public Comment ---.

MR. ELLENBOGEN: Mr. President?

PRESIDENT DEFAZIO: Yes.

MR. ELLENBOGEN: Can I have a Point of Order, please?

PRESIDENT DEFAZIO? Yeah; go ahead.

MR. ELLENBOGEN: I want to revisit what happened here and --- you know, and the disagreements that happened up here, what really disturbs me more than anything, is I know for a fact --- and I've had a long discussion with the county treasurer about this --- that the treasurer, the Retirement Board and the administration work very hard to resolve this issue. This issue has already been resolved. We're up here arguing about something that --- it's already --- it's already past view. It's already been solved.

I mean, I have great respect for Amy; I mean, she's a great administrator. And I --- you know, I would never disparage her in any way. But I don't understand why the controller has brought this up. I have had numerous phone calls and e-mails from retired individuals who have thanked us for solving this issue; you know. So

I don't know. I don't know what the motive is. I wouldn't do that. You know, Amy, I would never disparage you in any way. I'm just saying.

PRESIDENT DEFAZIO: Okay.

MR. ELLENBOGEN: Thank you, Mr. President.

PRESIDENT DEFAZIO: At this point, Amy, you're allowed to --- we'll let you come up and speak.

DEPUTY GRISER: Okay. We're good to go. Thank you for allowing me to talk. I had a prepared statement by the controller. She's very concerned about the 1,024 retirees that received a notification. But further, I think it's important that Council understand that we have an obligation in our annual financial report, to report a liability that's referred to as other post-employment benefits. So in addition to pension, we have to calculate our OPEB liability. And part of that liability is the amount of life insurance liability that's unfunded, that needs to be disclosed. So it's important that data get cleaned up and is accurate in order to calculate the required disclosure of the annual financial report. And it comes down to a basis of, we have not received communication at this point in time, as to what the fix has been. So with that background, this is a statement from Chelsa.

Dear Members of County Council, I apologize I cannot be in Council Chambers to address you this evening, as I had had two previously scheduled conflicts. However, I did come before you at the last Council meeting to address this subject. Tonight I again ask you to take action to restore life insurance benefits promised to more than 1,000 retirees of Allegheny County. These retirees, many of whom have come forward to us, to let us know they're struggling with health problems, received abrupt notice by letter a few months ago, that their retirement benefits were being reduced.

Upon retirement, they are promised a \$10,000 life insurance benefit from the county and under the current scheme now will receive \$4,000. Following my public comments to you two weeks ago, the administration told everyone the matter had been fixed, stating that it had been resolved. However, the fix has not been communicated. I have not seen evidence of a solution, either in my capacity as member of the Retirement Board or as county controller.

The resolution remains vitally important to more than 1,000 County retirees, who have patiently waited for weeks for the administration to unveil its plan. If, indeed, there is a solution, I will be satisfied. But I cannot in my capacity as fiscal watchdog, accept a promise without proof. My job is to hold this county accountable and, unfortunately, our retirees have yet to see any proof. Accordingly, I'm asking Council to consider the legislation I submitted, which remains right for your consideration. Within the context of the county's overall budget, my legislation calls for Council to reallocate only a small amount of money to replenish the retirees' benefits. I stress that the quote, fix to this problem is relatively simple and straightforward, which is one of the reasons I'm dismayed at the alleged solution reached by the administration has not been quickly --- transparently communicated. Thus, on behalf of the affected retirees, I urge Council to consider my legislation and to take all appropriate and necessary action for the county to live up to the promises it made with respect to the life --- life insurance benefits. Thank you.

PRESIDENT DEFAZIO: Okay. Thank you.

MR. FINNERTY: Thank you.

MR. FUTULES: Nice to see you.

PRESIDENT DEFAZIO: Okay. We have Carrie White.

MS. WHITE: Hi. My name is Carrie White. I'm from Fawn Township, and we are a few miles from Deer Lakes Park. This past weekend, I was at Deer Lakes Park, as I usually am with my dog, just walking, looking around, seeing people playing with their children, seeing people walking their dogs around the lakes. It occurred to me, who's expendable? We put this under the park. Granted, he's saying we're not drilling in the park. It doesn't really matter. It's going to be around the park. It's going to impact the park and the people that use it.

Who's expendable? Everybody in this room? Who's expendable? The communities, the people that live there? Myself, my family? I'm not expendable, and I would assume that every one of you would feel the same. Your families aren't expendable, not for a price tag, not for a dollar bill. These parks belong to the people and these communities, the taxpayers that have sustained these for the sole purpose of wildlife preservation and recreation. The taxpayers have taken care of these parks

up 'til now. Who's going to take care of them once they're destroyed?

This money that Fitzgerald promises to bring in, it's not going to rectify the problem. You're not going to be able to fix the problem once it happens. I've seen it. These are not for the profit of bureaucrats or private fracking industry. The parks are not to be bought or sold as commodities for profit. Since when does private business have the right to rape the community for its own gain? I watch cattle graze on land that's shadowed by fracking ponds and barrels of unknown chemicals. I've watched waterways become discolored with the unknown mix of so-called proprietary chemicals. I've seen the ramifications of toxins in our environment. Have you been to a cancer center lately? There was an article on TV just the other day. In a mere 20 years, it's going to go up 45 percent and pass heart disease; cancer. These are not all genetically formed. They're from the environment; a good portion of them are. Let's look at the ramification of what's proposed. Who's going to be held accountable if something goes wrong? Allowing even pipelines in this park will only add to the destruction of the state. Fracking has been allowed to run rampant, without consequence, in this state, as well as many others. Look at Colorado. Fracking on any level is a dangerous practice. Fracking waste, the noise, the water that's taken from our drinkable water supply, the compressor stations, the exposure of wildlife to these open pits of toxins, these do not belong anywhere below or near our parks.

Families play here. People fish here, and the local --- the local municipalities are not prepared to deal with a calamity. Thank you.

PRESIDENT DEFAZIO: Okay.

(Applause.)

PRESIDENT DEFAZIO: Aaron Booz?

MR. BOOZ: Aaron Booz, 3181 Bel Air Drive, Whitehall. Members of Council, be aware that the public will carefully watch what you choose to do with regard to any fracking in or on the county parks. First, I hope you all attend a meeting with Attorney John Smith next week, on the first floor of this building. And I hope you ask him about what your liability could be if you vote yes. The Supreme Court has had a big effect with their Act 13 ruling. If you doubt that, read what the industry is

saying about it. And as for the assertion that Range Resources is a careful and safe fracker, keep in mind that they are regarded by the industry as being much less safe than companies like Shell and Chevron. And it was one of these so-called responsible frackers, Chevron, that caused a huge blowout and fire that burned out of control for five days, five weeks ago in Greene County and emitted untold quantities of harmful gases.

It doesn't necessarily matter whether toxic fracking happens on or under park land when a disaster like that takes place. Now one member of Council said some time ago that the feedback she had received on this issue was 98 percent against. Virtually, everyone we know --- virtually, everyone we talk to --- knows that this is a bad idea. And their viewpoints can't be bought by money, not for \$3,000,000, not for \$7,000,000, not for \$100,000,000, for this county's budget. Those who have voted for fracking under the parks are now a small number of people. We are simply the people who are fortunate enough to be able to get here at 5:00 on a work day. The County Executive would apparently be surprised to learn that this issue is not actually controversial outside of this building. County residents are against this. Finally, another statement by Mr. Fitzgerald to a Deer Lakes resident last Wednesday, was that the lakes at Deer Lakes Park are already polluted.

This statement somehow wasn't in his press release, but I think it's an important one because I believe it shows us his mindset. Apparently, he believes that if he calls those healthy lakes polluted, he could subject them to the risk of contamination for years to come from underground migration, which research we presented to you clearly shows it's a problem. Remember, the research shows that six percent of well casings fail upon installation and 50 percent in 30 years. That's half of them. And that research doesn't come from us; it comes from inside the industry. The industry themselves admit that they have huge problems with preventing toxic migration.

And folks, I'm honestly not that worried about traffic or light pollution or sound barriers or short-term water sampling. These things are somewhat important. But I'm not that worried about these things the County Executive is so proud of up here awhile ago. I'm concerned about Council's long-term responsibility to

protect these parks from serious harm for years and decades into the future. And if you vote yes, I hope you know this, nothing else you do or say will be of any consequence to the drillers once the lease is signed. What one council member told me in August was correct. You guys will be on the hook if anything goes wrong. That's why I'm asking you to oppose this risky plan, stand with your constituents and protect our parks.

(Applause.)

PRESIDENT DEFAZIO: Kenneth Holmes? Kenneth Holmes?

MR. HOLMES: I'm going to yield to talk --- to Ted Popovich.

PRESIDENT DEFAZIO: Okay; who?

MR. HOLMES: Ted Popovich.

MR. POPOVICH: I'm coming up.

PRESIDENT DEFAZIO: Okay. Joni Rabinowitz?

MS. RABINOWITZ: I'm Joni Rabinowitz. I live at 7721 Edgerton Avenue, in the City of Pittsburgh. I want to thank you, President DeFazio, for preventing the Chief Executive here from sneaking his proposal onto the agenda without turning it in advance.

(Applause.)

MS. RABINOWITZ: It reminded me of Vladimir Putin, just by walking in and stepping all over everybody and saying, I'm going to put this on the agenda, when you guys have an agenda --- you guys have a process. And the process is that the agenda comes out on Friday and it wasn't there. Okay. Today I'm directing my comments, particularly, to Mr. Palmiere, one of the council members who has consistently commented on the importance of preservation of our environment and our wild resources. And I want to also notice that he did --- Dr. Martoni said that water is our most important resource. And you just passed a resolution to have a conference about clean water.

Wednesday night, a sell-out crowd had the opportunity to see the stunning documentary, Triple Divide. The filmmaker spent 18 months investigating the Triple Divide in Potter County, PA. This is one of only five in the United States where three major rivers begin. In this particular case, Lake Ontario, the Gulf of Mexico and Chesapeake Bay; those bodies are all served by streams that start in Potter County. These rivers are the source

of all our water, and water is the only thing absolutely required for life.

The filmmakers spent 18 months interviewing scientists, legal experts and affected landowners and hundreds of hours combing through the DEP records. The results of their DEP research was extremely disturbing. In this film, there was example after example of DEP failing to do their job. The supposed DEP is a farce. Numerous cases of the companies clearly being responsible for serious mishaps and accidents have been ruled in favor of the companies. And DEP officials were quick to assure people that the state had things under control. A good deal of the panel discussion afterwards focused on how crucial this lack of government oversight is. One panelist, Ken Moors, a consultant for the oil and gas industry, said that without adequate control at the --- adequate controls at the state levels, we should have a moratorium, and we don't have adequate control. He made the same observation when he spoke at City Council in favor of the Marcellus moratorium and convinced City Council to ban fracking. And this is an oil and gas industry consultant.

Even Rich Fitzgerald, who was on the panel Wednesday night, admitted that the state government does a lousy job. Meanwhile, to get back to my opening, water is the staff of life, and the DEP is not prepared to protect our water. We in Allegheny County should be a leader in our nation to help move towards a safer environment and lasting access to drinking water, by putting a moratorium on drilling in and under all county parks. We can't live without water.

(Applause.)

PRESIDENT DEFAZIO: Kathleen Krebs?

MS. KREBS: Hello, Council. My name is Kathleen Krebs, and I reside in the Brighton Heights area. I'm coming tonight to speak to you about Shenango Coke Works. It is my understanding, objectively speaking, that they are 50 percent in compliance with the air quality standards that our Allegheny County Health Department enacted. My frustration with this is, why isn't the County Health Department, which I believe was empowered to protect our community health --- why are they not enforcing these standards?

As a registered nurse for four decades, if I operated at 59 percent compliance competency, my licensure

would be suspended and most probably be revoked forever. And I'm very naïve --- this is my first meeting --- but I really was under the impression that Mr. Fitzgerald would remain for the entire meeting.

(Outbursts from audience.)

MS. KREBS: So I thank you. That's the end of what I had to say.

(Applause.)

PRESIDENT DEFAZIO: Valeri Jackson?

MS. JACKSON: Hello.

PRESIDENT DEFAZIO: Hello.

MS. JACKSON: My name is Valeri Jackson. I live at 260 Wheeler Street in Stowe Township, Allegheny County. I grew up on the other side of the Ohio River, in Avalon Borough. So if you know the area, you know that I've lived here my whole life on either the North or the South side of Neville Island and Shenango Coke Works. I'm no stranger to sights, sounds and smells from industrial pollution, although I stand here, an apparent survivor of that lifestyle. I'm no public speaker; I'm no politician; I'm no business person; I'm no scientist. So I can only tell you what it was like growing up near that. In a recent city paper article featuring residents of Ben Avon, which neighbors Avalon Borough, one resident said that the view from his back deck was, quote, like looking down into Mordor, unquote.

That was what I grew up with, looking down into Neville Island from my second-floor bedroom window, from Avalon, every night and seeing billowing puffs of smoke and open flames shooting up into the air, hearing creaking, screeching, buzzing machinery and smelling rotten eggs which, I guess, is sulfur and such. In the daytime when I could see the trees on the other side, I pretended it was a jungle and the noises were coming from animals in the jungle, like elephants. But then when the smoke and fire would come back, I was afraid for the animals. And every time the fire engine --- fire whistle went off in Avalon Borough, I was convinced it was my home and I'd just run out of school and run home screaming for my family.

I remain a firephobe. Despite the idea that perhaps we can get used to these things, as a lot of people do, it seems --- it doesn't make it okay; 2,500 feet for the required drilling distance for a fracking well from a home or a school or --- well, it's not enough.

That's --- 2,500 feet is perhaps a half a mile from the burning flames shooting up into the air; from the noises 24/7, from the smells 24/7, that's not enough, a terrifying vision for anyone, particularly, children, and we don't need it. The Allegheny County --- nobody needs it, I don't think, and the risks are way too great for whatever the so-called benefits there are.

The County Executive stated that there would be special regulations in this lease, but once those regulations or once those things are violated, there's no turning back, and who will be held responsible for those violations? Once you poison the water, its poison, and that's it. And we can't drink money. Thank you.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: Tim Ludwig?

MR. LUDWIG: Tim Ludwig, 18 Greismere Street, in Etna. Rich Fitzgerald did a wonderful job explaining his side of things until the question session came up and he was asked for some particulars in his writing. You could just see him saying, did we get those counties --- were those counties in there --- oh. Okay. We'll get you those details. When the RFP went out, Fitzgerald asked for four things. First thing, the check; 10 percent bonus payment. Which we know, he know. Second thing, was page four of the RFP, with the name of the proposer. You know those details. The third thing was the Minority Women and Disadvantaged Business Enterprise statement. I haven't seen that, but ---. The --- and then the last thing was Section 2.3 titled, Proposed Content Requirements. This, I don't think anyone has seen, because you have a large stack of papers on your desk. And from what was given to you, I don't think that was it.

In Section 2.3, Section A, it asks Range and Huntley and Huntley to list, point by point, all their violations that were given to them by the state agency. That is over 190 in Pennsylvania alone. That's why I got a big laugh here when everyone said --- when he came up here and said it's a safe company. So in that section, you should see that you have the 190-plus violations in Pennsylvania alone. Also, in Texas, the actions that the EPA took against Range Resources, that should be written down, the explanation of the violation and the steps that they took to fix it. This was all asked for in the RFP. I suggest you take a look at that. That was in Section A.

In Section D, one of the points was what the proposal would do to address the long-term --- it was the long-term plan of addressing drilling issues and concerns of adjoining municipalities and public citizens. So all of our questions, of course, are answered in this document. We have all asked questions here at public comments and, I guess, this was in the proposal that, I'm sure, you guys will see at some point. So if and when you do get all these papers, I direct you to look in those sections and keep in mind all these violations, because like my poster says here, these were done in private with their campaign donors. And to quote something from Ms. Means, I call it shenanigans on this. Sorry that I'm jumping around a little bit. So thank you for the members that asked the tough questions up here. Thanks for the good news for the air quality for the federal minimums that we finally met. And when I was writing this last night, I looked at my pen and it said, Jan Rea, County Council. Thank you for this pen.

(Applause.)

PRESIDENT DEFAZIO: Terri Supowitz?

MS. SUPOWITZ: So did you miss me? I haven't been here for a couple of weeks; guess not. All right. I'm Terri Supowitz. I live at 310 Hay Street in Wilkinsburg. So I had something prepared, and then after Rich talked, I had to respond. When he says that there's going to be drilling, you guys can stop drilling. You can do that. A moratorium would do that. It means courage. It means being brave. It means doing something that would be really, really hard, a paradigm shift for a lot of you. But you can stop the drilling in Allegheny County. That would be the most fabulous thing that you would ever do in your whole life.

(Applause.)

MS. SUPOWITZ: Everybody in this state would be working with you, and I would be so proud. So would all of us here. I forgot something. I want to thank Heather for being --- for your sense of fairness. I appreciate that. About safety with the children and concerned about the buses, yes, it's a concern. But you're going to frack 2,500 feet from a school? Come on, guys; water pollution, air pollution. You're going to hold the air pollution, you know, right where the drilling site is? And if any of you have read Sandra Steinbow (phonetic), these chemicals

affect children differently and much more severely than they do adults.

(Applause.)

MS. SUPOWITZ: Your green ALCOSAN project and clean rivers, fabulous about clean rivers. But you can't have clean rivers and fracking at the same time. You just can't. They don't go together. So my question is, why are we fracking? It's inherently harmful. There's nothing healthy about fracking. I know the oil and gas company are greedy. I know County Commissioner and Governor and legislators have been bought. However, I know you, County Council, are not beholden to the oil and gas companies. You guys are moral; you want to do the right thing. I'm not as organized as I usually am. Okay. Sorry. One of the things that I thought of, I wish what the oil and gas companies were saying was true. If it was true, you know, none of us would be here. It would be --- it would be great, but it's not. What they're saying and anybody who's touting it is saying, you've got half truths and lies, and that's what we've been trying to tell you since August. So we're fracking. I asked the question, and I think it's because of greed. And I don't think any of you here are greedy. I think you really want to do the right thing. So I'm going to ask all of you to say no to this and think about a moratorium.

(Applause.)

MS. SUPOWITZ: Also, on March 25th, John Smith is going to be here, a meeting at 4:00. He was the lead attorney for Act 13. All of you need to know what your responsibilities are under that new act. Thank you.

(Applause.)

PRESIDENT DEFAZIO: John Detwiler?

MR. DETWILER: 5723 Solway Street, Pittsburgh. One night, taking a shortcut through a dark alley, a man dropped his car keys. When his friend saw him searching for the keys out on the sidewalk under a street lamp, the man said, well, the light is much better over here. I couldn't see a thing back in that dark alley. That's pretty much the state of the industry best practices and much of our public discourse about fracking these days. I have an engineering background, and I'm able to read this stuff, and I've chewed over enough fracking regulations, drilling permits, environmental assessments, emergency response plans, corporate financial projections, to make a pile as high as this lectern. And I will tell you that

the so-called experts in industry and government can split the finest hairs over here where the light is good.

And if you busy yourself with listening to them, you can imagine that you're actually making progress on doing it right, while what really matters about fracking is over there in the dark, because the keys to fracking is the stuff that nobody knows and the things that nobody can do anything about. Those piles of paperwork say a lot about what sort of diesel engines we use to turn the drill bits and pump the fluids, and whether to use tanks or ponds to hold all that poisoned water. But we don't know how children and animals get sick and die, except that they do. And we can't change the fact that billions of gallons of precious clean water are turned into buried toxic waste forever, and that millions of acres of farms and forests are bulldozed away, and that billions of tons of greenhouse gases are added to this accelerating dynamic of climate catastrophe, because that's what fracking does. So it doesn't matter whether the Executive's proposal is the best lease of its kind. It doesn't matter whether the drill rig sits on this side of the road or that side of the road or how much money is on the table or whether private landowners around the park have already taken payments for fracking.

You'll be voting on whether this dirty, dangerous, destructive and out-of-control industrial process will be done on our community's property, in the community's name. You need an honest look at what isn't known and what can't be changed. And you won't find that at Mr. Fitzgerald's industry dog and pony show on April 2nd. You'll have to get it for yourselves. Mr. Fitzgerald's mind was made up long before he took the oath of office. He's not looking for input, just a quick vote. But the decision that you have to face and that we, as citizens, have the right to participate in making with our intellect, our passion and, if it comes to that, with our bodies, is what to do with public land.

The question that none of us can avoid by busying ourselves with hair-splitting is this, are we finished with our parks? Are we ready to walk away from our farms and forests? Are we all done with Allegheny County and the earth? Are we going to say that the best future we can imagine for our home is to chop it up and burn it?

(Applause.)

PRESIDENT DEFAZIO: Mel Packer?

MR. PACKER: 623 Kirtland Street, Pittsburgh, 15208. I feel like I'm caught up in a bad remake of that famous musical called Damn Yankees, where he captures himself a soul for the devil to help his beloved baseball team. Only this time I'm not playing the devil as I did in high school --- yes, I was pretty good at it. I have simply delegated a cheat sheet of the key to heaven. I'm occasionally allowed to howl, clap or boo, but I'm never truly endeavored the right to play any significant role in this drama, because unlike Rich Fitzgerald, I'm only a tax-paying resident of the county and not a recipient of huge campaign contributions from the devil; otherwise known as the fracking industry, to which he has sold not only his soul but hopes to sell the public parks along with it. But you Council members have --- should have a role to play in this bad drama, if you exercise your duty to county residents, or you can simply go along with whatever Fitz wants you to do and what the industry wants you to do. It's up to you to be independent thinkers of legislators responsible to county residents and not to the almighty dollar. One of the questions that you, as the Council, should consider is who will pay when the devil has taken our souls and left the stage? For once, the devil gets what he came for doesn't stick around and that will be the fracking companies.

Just like the coal companies of old, which I know some of you remember, who left a mess for us, the taxpayers, to clean up. Every day here in Pennsylvania and across the U.S., we learn of more banks and mortgage companies refusing to issue loans on homes near parks, on homes near fracking sites, of insurance companies that are canceling homeowner policies or refusing to even issue them due to liability risks and now well-documented massive reductions in home values because of frack well proximity. Companies won't take risks on homes near fracking operations. So who is left --- who is left holding the bag when drilling is done, the profits are made, the companies that made the money are now gone. They're absorbed into another new company, even a Chinese state-owned company. Are we going to sue Beijing? Are we going to sue Rich Fitzgerald? You might as well sue the devil.

As true as my name is Mel Packer, I can guarantee you that competent class-action attorneys are

already doing their due diligence, so they can file future class action suits against every party to a lease, so they have effected a client's health, home values or well being. And that means Allegheny County, which means me, the taxpayer; the one who will have to pay for whatever bad decision you might make. Remember Love Canal? Who's paying for it? Remember Babcock and Wilcox in Apollo? Who's paying for it, the taxpayers, not those corporations. Avoiding this is part of your due diligence. Your responsibility is to do this; to examine, to question, to refuse to be pushed into a decision based solely on the assurances of the County Executive who's taken more money from the very companies who will drill under this park. The most, if not all of you, have ever seen as campaign contributions in your lives. Johnny DeFazio once remarked to me that fracking can't be as bad as we say or the companies wouldn't do it. Remember tobacco, Johnny? Remember asbestos? Remember coal dust? They said it was good for us, that it wouldn't hurt us, that it didn't cause cancer. And they knew for decades that it caused cancer. They lied to us. You're the union man; you know. Companies lie; workers die. And don't let the smoke from the frackers blind you to that. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thaddeus Popovich?

MR. POPOVICH: I think I'm on there twice, so don't let me speak more than three minutes with this.

PRESIDENT DEFAZIO: So far, everybody is doing a good job hanging in their three minutes.

MR. POPOVICH: I have two handouts. My name is Thaddeus Popovich. I live at 6606 Virginia Avenue in the Borough of Ben Avon, six miles North of Pittsburgh along the Ohio River. Tonight I am representing the Neville Island Good Neighbor Committee, a group of citizens who live in the municipalities surrounding the DTE Energy Shenango coke plant. These municipalities along the Ohio River have a population of approximately 40,000 people. The Shenango plant is less than one mile from the densely populated communities of Ben Avon, Bellevue and Emsworth --- and let's throw in Brighton Heights, as well, okay --- and less than five miles from downtown Pittsburgh.

I am requesting County Council members representing all of the affected communities --- Mr. Thomas Baker, Mr. Michael Finnerty, Miss Jan Rea and Miss

Amanda Green Hawkins to co-sponsor or whatever you might be able to do, a resolution in support of our efforts to clean up the Shenango coke works. By the way, I must commend Councilman Finnerty for calling us to say that he has been following the issue and would be calling the health department on our behalf; thank you. What is the issue? A review of recent Shenango compliance reports covering a 432-day period shows that on at least 330 of those days, one or more air violations occurred at the facility.

These noted violations were from July 28th, 2012 through September 30th, 2013. And I put in big bold letters, hardly a day goes by where there wasn't some violation at the plant; hardly a day. In response, October 8th, the Group Against Smog and Pollution (GASP), filed a Notice of Intent to sue Shenango for Clean Air Act violations at the coke plant. We get to breathe that in every day. I have attached a copy of a photo. That looks like ---. Okay. It looks like Mordor, by the way, taken on December 8th, 2013, after we've been counting all those violations, showing what it looks like when the plant loses control of its hydrogen sulfide scrubber. Violations continue to occur similar to that. The Shenango plant --- coke plant is out of control. It is a danger to the health and well being of its workers and nearby residents. It's time to do something, and the county is in the position to make it happen for us. Please encourage the Allegheny County Health Department to get the job done. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Pia Colucci?

MS. COLUCCI: You know, if you say --- Pia Colucci, 4725 Wallingford Street, in Shadyside. If you repeat things enough, sometimes people begin to believe them --- believe what you're saying. And Mr. Fitzgerald said that --- how great the air quality was. While I was sitting here after he said that, I went quickly on my smart phone, looked up air quality of Allegheny County, and it's within the 92/100 percent worst in the country. I don't know. So that's --- that was just something that I did. I know why I'm here, and I know why my fellow citizens are here twice a month.

I wonder what motivates you all as council members to have run for the position and to serve. I want to believe that it is to serve the citizens of Allegheny

County by upholding our state constitution and to ensure that, as our representatives, you protect our interests from an otherwise possible Oligarch County Executive. I remind you, our constitution clearly states that our rights include clean air and water. The deal that Mr. Fitzgerald has struck with Range Resources is political payback, nothing more. He called on the gas industry in the 11th hour of his campaign, begging for fund donations; in return, promising them that when he is elected, he will be their man.

As I've said to you before, this is not his --- this is his problem; it is his payback. Your responsibility is to us, not to him. There is nothing safe about fracking. If it were, Dick Cheney would never have needed to change and to arrange an exemption of the Clean Air and Water Acts that he secured while he was in office, for the industry which he was going to benefit from to the tune of millions of dollars. But he didn't, because it's highly toxic. It's dangerous; it's cataclysmic to the environment. A perfunctory Google search of the DEP shows you that they are bought lock, stock and barrel by the gas industry. They cannot, will not and do not protect the environment. So when Mr. Fitzgerald says that there are stringent rules, laws, protections in place to secure the safety of people in the environment, that is baloney, pure and simple.

Laws may be on the books, but they will not --- and I repeat --- they will not be enforced. That is factual history throughout our commonwealth. I checked the multi-list system today on the realtor. There are 60 active properties for sale in West Deer, Frazer and Tarentum. Twenty-one (21) are under agreement --- there's 21 under agreement in contingent, which means they'll be closing soon, and there's 63 that closed in the past six months. I wonder how many residents know that an industrial nightmare is about to be contemplated nearby their homes. Shall I give them a ring to alert them and call these constituents of yours, to let them know that this is what we are deciding --- you are deciding in the next few weeks?

I also checked the zoning map for Frazer. Part of Goolick's Farm is in the green special conservation zone, and the rest is in the residential/agricultural zone. Thank you.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: Briget Shields?

MS. SHIELDS: Good evening, once again. Briget Shields, 2329 Tilbury Avenue, Pittsburgh, PA. This is a quote from Louis Allstadt, former Executive Vice President of Mobil Oil; ran the company's exploration and production operations. I think the main question is, how fast can these movements educate enough people about the dangers of fracking and its impact on global warming? It will take masses of people demanding action from politicians, to offset the huge amount of money that the industry is using to influence lawmakers, a world-scale version of those standing-room-only meetings. Something has to wake the general public. It will either be from environmental movements or some kind of mass disaster. We have seen these disasters, the last one in Greene County, the fire that burned for seven days, where they said that you could feel the flame and the heat for a mile away. I looked at the map of Deer Lakes Park, and there is a big high school and a junior high within less than a mile. Do we have evacuation practices in place there? I missed the beginning of this meeting where --- I heard that Mr. Fitzgerald says it's the best lease yet, that none of you have seen it yet? I hope that this isn't going to be a replay of the airport.

I hope that we do not get invited to a meeting where the industry is going to talk for an hour instead of a public hearing, and then we get one minute to ask questions. That just isn't fair.

(Applause.)

MS. SHIELDS: That is not democracy. There are major impacts, and none of us would be here if we thought this was safe, and we wish that it was. We keep hearing how good this is for Pennsylvania, how our energy bills are going down, yet every day on the news we see that people are getting three times their electric bills. This is why we do what we do. Our mission is to educate the public on all specs --- aspects and development and negative impacts that oil and gas industry has on our health, our land, our water and, especially, our democracy. And it's been proven over and over again in Pennsylvania. Mr. Fitzgerald has taken more than his share of money from the industry, so he owes them, just like Governor Corbett does when he tried to get Act 13 repealed and the Supreme Court said no.

He had to tell them, well, look, guys, at least I tried. So I am asking you to please --- we all wish it was safe. We all wish it was the answer to our economic jobs and money, but it is not. And I could rest at night knowing that I helped preserve for generations to come, the environment and water quality. And I could sleep that I did my best. I hope that you can, too, when you make your decision.

(Applause.)

PRESIDENT DEFAZIO: Thomas Hoffman? Tom Hoffman?

MR. HOFFMAN: Yep. Tom Hoffman, 7115 Willard --- Willard Street in the East End.

UNIDENTIFIED AUDIENCE MEMBER: Speak up, Tom.

MR. HOFFMAN: Eat the mike, as they say. Is that better? Okay.

Tom Hoffman, 7115 Willard Street, East End. My name is Tom Hoffman. I am the Western Pennsylvania Director for Clean Water Action. In Clean Water Action, we have a staff of very highly motivated young people that are very passionate about protecting the world we live in. These are the same kind of people that we're trying to get to stay here. Some go on from this work to a lifetime of work protecting the environment. And every night, these young people go out and knock on folks' doors and talk to them about how they can help protect our region. They talk to them about green infrastructure. They talk to them about air pollution from local industry, and they talk to them about fracking under our county parks.

Every day these group of people have a meeting in our office, where they celebrate hot nights. And hot night is when you do a really good job at your job; getting letters or raising money or getting people to send e-mails. You get a big round of applause for a hot night. Now I got to tell you, these young folks, when we do fracking under the county parks, they're very happy about this because the issue of fracking under the parks really resonates with people. Hot nights abound on those nights. The public gets it. It's just not a good idea. Fracking and parks don't mix.

So we recently were in Sue Means' district, and I guess James Ellenbogen had left, so maybe we can get these to him. We have 70 letters for Sue Means from residents of her district and 183 letters in James

Ellenbogen's, so all --- encouraging them to vote against the county parks. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Okay. Lucas Lyons?

MR. LYONS: 1902 Meadville Street, Pittsburgh.

First of all, the video for the last --- two weeks ago, County Council session, you click on it, it goes to a dead link. We had a bunch of people from Deer Lakes region give some very emotional testimony that I think needs to be on record, so people in the future can look back and see that we tried to warn you that we were against it. A lot of you probably saw my very hyper blow-up sign of King Fitzgerald. I can't thank Ms. Danko and Councilwoman Heidelbaugh enough for putting a brick wall to that real fast. I was very proud that --- he was ready to run it through tonight. He was ready to roll, even before we even saw a lease --- any of you saw a lease. That's why I said King Fitzgerald on my sign. The press release; the press release is another reason I said King Fitzgerald, because he talks about it when he releases it out to the paper and stuff, that it's already a done deal. It's a done deal, and then he says things like, there's going to be a public hearing where you can ask questions. We don't want to ask questions. We want to negotiate. We want to know what the protections are going to be. It's like he is telling us what he's going to do, and it's up to you to put a stop to it.

Councilman Baker, it's very good to hear that you're the non-profit community, making communities better. I think there is one thing you can do to make the entire Allegheny County better and put an end to this as fast as you can. Councilman Futules, you have leases --- gas leases with Huntley and Huntley, Range Resources. So I would strongly implore you to recuse yourself from the vote.

(Applause.)

MR. LYONS: And Ms. Heidlebaugh and Ms. Green Hawkins have to recuse themselves because they have conflicts of interest. I think yours is at the top of the list of the biggest conflict of interest on Council. Councilman DeFazio --- President DeFazio, a couple months ago you said, I'd like to hear both sides of the argument. I'd like to hear both --- I mean, we've got hundreds of people over the last year, hundreds of people come and testify, and we have yet to hear one --- one single person

from the industry in Allegheny County come down here and give testimony. Mr. Kress, you talked --- Mr. Fitzgerald gave you a little shout out about the jobs --- the jobs fair. I've been to those jobs fairs. They're a joke.

They give you a bag. They give you some swag. They give you some stuff, like a T shirt, and then they bring in a B-rate country band.

And they all have a little bit of party, and then they tell you to go online and apply. These are Texas jobs. They come temporarily and then leave. There's no jobs coming to Pennsylvania, no jobs for President Fitzgerald. Oh, I still got it; I'm over.

(Applause.)

PRESIDENT DEFAZIO: Lawrence Wolfson?

MR. WOLFSON: 2408 East Springwood Drive, Glenshaw, Shaler Township. Is that okay? One argument used to defend fracking is something like --- if fracking is so risky, then why aren't there more lawsuits. That's wrong. Lawsuits redress past damages. The law is not the same as science or common sense, and lawsuits are way too late as a canary in the coal mine for public policy when significant damages manifest years or decades later. An example that no one mentioned earlier, how many defenders of smoking are in this room?

In the first part of the 1900s, smoking was banned in some states and restricted in most. But by the '50s, tobacco use reached an all-time high and was part of the culture, and the majority of Americans smoked. From the mid-'40s to the mid-'50s, one of the most compelling cigarette campaigns was, more doctors smoke Camels than any other brand. Lawsuits were first filed in the mid-'50s, and for the following 40 years until the mid-'90s, tobacco won every case, except for one which was overturned on appeal. The evidence of the dangers had been there all along, had continued to mount and were unequivocal.

One only had to compare the chest x-rays of smokers with those of non-smokers. The legal argument was won by tobacco industry science, promoted by political and financial hardball, against independent science and common sense, using arguments like cigarettes are not harmful to health, and there are multiple causes of cancer, so cigarettes can't be singled out. Talk about a failure of lawsuits to counsel public policy. Now with fracking, where would the veins of gallons of water required for

fracking come from? How do we safely get rid of or even store the dangerous chemicals that are already being concentrated among us? We found out the hard way that using injection wells for that can cause earthquakes.

What about industrial operations and non-stop heavy truck traffic that destroy quality of life, property values and infrastructure. Science is now finding that fracking causes vertical fissures between deep target areas and aquifers above. Who would have guessed that all that pressure exerted to fracture rock formations would not be limited to the target area? A Nebraska ground study demonstrated that there are still problems with the ground that is supposed to isolate surface contaminants from the groundwater supply. Bad as cigarettes are, cessation can result in quite remarkable recovery in an individual and no impact going forward for individuals who never smoked and were not impacted health-wise by their parents' smoking. For fracking, once an aquifer is poisoned, it is gone for many people hundreds or thousands, or tens of thousands --- it is gone for years or decades or longer. These stakes are high enough to be scary. If fracking technology remains inadequate, science is increasingly contrary. The stakes demand extreme caution. Fracking is just getting started. This is going to be lawsuit heaven. Do not commit one quarter of a million people of Allegheny County to this lunacy.

When you hear fracking industry science that contradicts valid independent science and common sense, please remember to ask yourself, do more doctors still smoke Camels?

(Applause.)

PRESIDENT DEFAZIO: Jennifer Myers?

MS. MYERS: Jennifer Myers, 5431 Carnegie Street, and it's good to see you all again. I'm here tonight to speak more about the money, as that's what has gotten your attention so far. That's what holds us all captivated. The environmental concerns are many, many millions. Actually, if you count each gallon of water, it will be contaminated but 20 ---. That's what I want to focus on, because that's what is at the root of all this. I spoke with a friend who lives in Washington County about all this. He has watched his county park, Cross Creek Park, sold out --- been sold out to the gas industry from under his feet, so he's an eye witness. He's us in the future.

He gave me some interesting points to mention tonight, lessons learned about Range Resources in Washington County. Range Resources' crystal ball predictions of shale gas wells lasting 30 to 40 years are actually pure fantasy; sounds really good. Data from 190 range wells over the past few years indicates they average a loss in production of 60 percent in the first 30 months. Therefore, a more accurate prediction would be that these wells will have a productive lifetime of less than eight years, just like their southern cousins in the Barnett shale. So Fitzgerald needs to adjust his financial calculations accordingly. Royalty payments; you're probably not fully aware how Range deducts expenses from royalty payments. You will net far less royalty money than you anticipate. You also end up paying taxes on royalties you don't receive, further reducing your net income. For example, let's use a figure of \$1,000 in royalty payments. Range typically deducts \$200 for various expenses, which is 20 percent, leaving you with a net payment of \$800. However, you pay taxes on the entire \$1,000 royalty amount, the \$800 you got and the \$200 you didn't. So that's the money. Drilling near a park, from his perspective is --- from facts, is almost as bad as drilling in the park.

There's --- we're talking about aquifers and water and aquifers and air, specifically, not even the land. And those things are mutable. They change, they move. Nothing is fixed. The more wells that are drilled in the vicinity, as you know, the more heavy truck traffic will be present. I was up at the Deer Lakes in the fall -- haven't been up there in a while because it was such a terrible winter. But I was so astounded by those little roads; like, all those little roads. They're like country roads. You feel like you're in Ireland. And I just thought of, how could a --- please, how is that going to work. Trucks on those roads is actually a really good concern. So it's --- I only have a minute --- a second. Thank you so much. Make a good choice.

(Applause.)

PRESIDENT DEFAZIO: Joy Strang?

UNIDENTIFIED SPEAKER: She's not here.

PRESIDENT DEFAZIO: Kathryn Strang or ---?

UNIDENTIFIED SPEAKER: They did not come.

PRESIDENT DEFAZIO: Okay.

PRESIDENT DEFAZIO: Loretta Weir?

MS. WEIR: These are too good not to use them again, because this about summarizes where we're at in this county. And if things don't change and you drill that Deer Lakes --- like what happened to our airports, because I was a part of that charade --- we don't need this council anymore. Really? If we go to another meeting where we're not heard and there is really no public hearing --- what?

MR. FINNERTY: Give us your name.

MS. WEIR: Loretta Weir, 4544 Homeridge Drive, Pittsburgh, 31st Ward. I haven't been here for a while because my young daughter-in-law has cancer, and it's ugly; okay? It's real ugly. I will fight like hell over this. I will fight until I can't fight anymore. We have toxins going into our ground, water being contaminated, air being contaminated. We have lived in an industrial nightmare our whole lives. It's not about her. She's young. It's about who you are. Her body couldn't fight it. Okay, I spend my time watching the babies, all right, watching those three little babies that my son has; okay? This makes me sick. This ignorance, this deliberate willful ignorance, this following Rich Fitzgerald into the gates of hell, makes me want to vomit. Okay?

The man is a psychopath. I want to love him, I really do. God tells me I should love Rich, but Rich has gone astray; okay? Maybe he'll come back, maybe he won't. But I know I have to use my voice, because I know what the score is here. All right? Rich doesn't stay to hear us; all right? Yes, Pia, we have the worst air quality in Allegheny County and the worst air quality in the country. Okay? We also --- that's according to the Post-Gazette in 2013 and just this past November. U.S. cancer statistics, Center for Disease Control Prevention, all cancer sites combined for male and female, age adjusted; okay. We rank third. Pennsylvania ranks third in this country; okay? We're talking steel mill, coal extraction. We're talking the onslaught of just burying garbage in the ground that we didn't have even because of our political mess, because of the money. This stuff happens.

Volunteer fire departments in West Deer and Frazer, these people are volunteers. You're sending them in to put these fires out. I wanted to say that to Pia. Okay. Tony Benn, who served in Britain's Parliament for 50 years, believed that every generation must struggle to win democracy and to keep it. He believed those in a

position of economic, social and political power should always be asked these five questions. Maybe you can ask Rich, because he won't stay here when we come to speak. What power have you got? Where did you get it from, and whose interest do you use it? To whom are you accountable, and how do we get rid of you; okay?

(Applause.)

MS. WEIR: We're here again fighting for our democracy. This is what we're doing, because what's going on with these corporations sure in the hell isn't democracy, and some of you people claim to be educators. And it looks to me more like a good old boys' club.

(Applause.)

MS. WEIR: Look at the posters, these wonderful posters.

MR. WEIR: Kenneth Weir; I live at --- in the 31st Ward, Homeridge Drive. Well, I was trying to figure out what to say tonight. There are all kind of things, but I know we've been here and we've been talking, but --- and everything's been discussed. I --- this is something interesting that I think everybody should know. Back when Rich Fitzgerald was running for election to win the primary, this came in the mail to me, and it was addressed to me and Loretta. And it was only --- came from a concerned resident of Allegheny County. I don't know who sent it, but in it is information about Rich Fitzgerald's campaign manager, Mike Mikus; okay?

But in --- it's very interesting that Mike Mikus works for EIS industries. It's an oil and gas company; okay? That was Rich Fitzgerald's campaign manager. So it swings me fast forward to the article that was in the Post-Gazette about Rich Fitzgerald and his fundraiser. He raised \$1,000,000. One of his campaign contributions, Huntley and Huntley, \$10,000. Is it? I don't know; okay? So I went back in my archives and I pulled out a oldie but goodie. This is Rich Fitzgerald's e-mail; right? I'm not going to read you everything, but I just highlighted some things. I forwarded a text to you, Matt, Range Resources, responding to a text he sent me telling me he was coming to my event; 1932, Benito Mussolini. Fascism should be more --- properly be called corporatism, because it is a merger of government and corporate powers; 1932.

If you want the leader of this region to be someone who is clueless about natural gas and your industry, continue to sit on your hands, and that's

exactly what will happen; Benito Mussolini, 1932. Fascism should be more properly called corporatism, because it is a merger of government and corporate powers. I love going to expensive Captains Industry parties but would rather have the Captains put their money behind a candidate who will promote the growth of this industry; fascism, Benito Mussolini. I need money and I need it fast. Oh, it's great to hear from Dave Spiegelmeier. How about how wonderful I am for the industry? But I need your money, Dave; fascism, Benito Mussolini. What are we doing here? You know, it reminds me, when I played football --- and that was a long time ago --- we played the Morningside Bulldogs; okay? We were in awe. They were the big team; right? Everybody knew this. This is a side --- just a side agreement. But we went in the locker room and the coach slammed his hand down and he said, you put your pants on the same as they do. What's wrong with you? And I look at this council and Rich Fitzgerald's going to come to you with an agreement that he has signed for you. The gall of such things. This is our job and your job. Don't let this man push us out. We put our pants on the same way, don't we? I'm tired of this. Do your job. Don't let this man push this down our throats.

(Applause.)

PRESIDENT DEFAZIO: Barney Oursler? Did Barney leave?

MR. OURSLER: Barney Oursler, Pittsburgh United and the Clean Rivers campaign. It's a powerful meeting that you all are getting tonight, and I want to thank Council for voting to hold another meeting. You are troopers, and listen to your constituents. The issue that the Clean Rivers campaign wants to bring you, though, is about the biggest expense that your constituents are ever going to have to pay for. They're going to be paying for the next 20 years for several billion dollars' investment. And we would like a hearing to be able to talk with you about what we think the constituents that are going to be paying for this, ought to be asking for, and that is, the ability, as our mayor said, to rebuild our neighborhoods, revitalize local business districts, to lower summer heat temperatures, to clean our air, to do the sewer fix cheaper.

We believe that there's an alternative to the ALCOSAN plan. The EPA has said that the ALCOSAN plan is not acceptable, and we think Council needs to step up as

you approve the people who will run ALCOSAN and give us an opportunity to benefit in a huge number of ways, not just cleaning our water and not just putting 20-some miles of tunnels under our rivers and storing all that stormwater and then pumping it all up and cleaning it, but actually putting the water into the ground and accomplishing rebuilding our communities at the same time. We look forward to an opportunity that you've now given us, to bring that to you and to make sure that when we pay for something, we get the most benefit from it. Thank you.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: Our last speaker, Doug Shields?

MR. SHIELDS: My name is Douglas Shields. I live at 2329 Tilbury Avenue, Pittsburgh, 14th Ward. The bill is here. We told you it would be, and it is. And last year a group of us met with County Executive Rich Fitzgerald, who engaged to discuss. I asked him this question. Will you disclose the risks and hazards associated with shale gas extraction operations; and he said no, that's your job. That's a quote to all of us that were in the room, that's your job. It is my job, and it's everyone else's job in this room and, more importantly, it is Rich Fitzgerald's job, as well.

(Audience outbursts.)

MR. SHIELDS: You have to disclose the risk. You have to let us know what it is that we will be commenting on at a public hearing. The science clearly shows the adverse impacts. There's no question about this anymore. In 2010, when Pittsburgh City Council enacted its community rights ordinance which, among other things, effectively banned shale gas operations, it was a unanimous vote. Three months of public meetings, three months of discourse; and interesting, it was pointed out here tonight, not once --- not once --- did the industry show up at the table. Katie Klaber was invited. She's with Marcellus Shale Coalition, and she was extolling the virtues of it. Mr. Peduto, now the mayor, asked her this question. What neighborhood are you going to drill in first?

There was no response. You could hear a pin drop in the room. Seven to eight percent of the wells drilled in Pennsylvania, the casings failed. That's a matter of record with DEP, seven to eight percent. Over a

20-year period, up to 40 percent of those well casings will fail. They must last forever. Who among you know of anything that man builds, lasts forever? We have people getting sick. Children are particularly vulnerable from volatile organic compounds that are floating in the air in close proximity on a daily basis to their schools. They're called endocrine disruptors, and they affect their development, both physically and mentally. Are you prepared to offer that risk to our children? That's a fact. People get sick. A good friend of ours, Terry Greenwood, has two brain tumors, and a farmer down in Washington County just diagnosed last week. His farm had been contaminated. His water is no good. Has been that way for five years now. Last week in Poland Township in Ohio, 60 miles from here, they were drilling the well, an earthquake happened. They had to shut it down. ODNR finally did something right there. They've acted just as badly as our DEP.

The Supreme Court, on December 19th, also gave you clear instructions. I hope you have read them, because if you don't there will be lawsuits. And it's your responsibility to uphold the constitution in your decision-making. I ask that you take your time, you ponder. There is no rush to go anywhere and listen to what is before you. Thank you very much.

(Applause.)

PRESIDENT DEFAZIO: Is there a motion for adjournment?

MS. GREEN HAWKINS: So moved.

PRESIDENT DEFAZIO: Anyone second?

MR. MACEY: Second.

PRESIDENT DEFAZIO: All those in favor signify by saying aye.

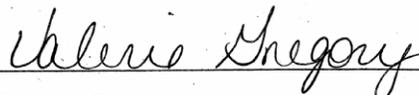
(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it.

MEETING ADJOURNED AT 7:57 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