

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

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BEFORE:

John P. DeFazio	-	President
Nicholas Futules	-	Vice President, District 7
Heather S. Heidelbaugh	-	Council-At-Large
Tom Baker (via telephone)	-	District 1
Jan Rea	-	District 2
Ed 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, April 8, 2014 - 5:00 p.m.

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

IN ATTENDANCE:

Joseph Catanese - Director, Constituent Services
Jared Barker - Director, Legislative Services
Walter Szymanski - Budget Director
Jack Cambest - Council Solicitor
Andrew F. Szefi - County Solicitor

PRESIDENT DEFAZIO: The meeting shall come to order. Would you all please rise for the Pledge of Allegiance, and remain standing for a moment of silent prayer or reflection, after me?

(Pledge of Allegiance.)

(Moment of silent prayer or reflection.)

PRESIDENT DEFAZIO: Thank you. Roll call.

MR. CATANESE: Mr. Baker?

MR. BAKER: Here (via telephone).

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.

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.

MR. KRESS: Joe, I'm here.

MR. CATANESE: Mr. Kress is present.

PRESIDENT DEFAZIO: Yeah. I just want to mention to everyone, we have a lot of speakers. We're going to be here for a while, so somewhere around 28 or 20 to eight, whatever, we're going to take, like, a 15-minute

break. People can go to the restroom or whatever, change the paper. So I'll let you know when that comes up. So now we have Proclamations/Certificates. 8162-14.

MR. CATANESE: Certificate of Recognition awarded to Ms. Dorothy Ruth Moone Beavers, upon the occasion of her 100th birthday. Sponsored by Councilman Futules.

MR. FUTULES: I don't believe she's here yet.

MR. CATANESE: I don't believe she's here yet. She might be downstairs. I'm not sure.

MR. FUTULES: Do you want defer it, Mr. President? She's not here yet.

PRESIDENT DEFAZIO: Yeah. We'll do it when she gets here.

MR. FUTULES: All right.

PRESIDENT DEFAZIO: 8116-14.

MR. CATANESE: Proclamation in recognition of Women's History Month, honoring Mt. Lebanon resident and actress, Helena Ruoti. Sponsored by Councilwoman Heidelbaugh.

MS. HEIDELBAUGH: As you all know, I have been trying to introduce a woman of achievement during Women's History Month. We're into April now. There just wasn't enough days in March for me to introduce some of the interesting women in our region. I have really the distinct honor and privilege to introduce actress Helena ---

MS. RUOTI: Ruoti (pronouncing).

MS. HEIDELBAUGH: --- Ruoti. I didn't want to mispronounce your name because you're such a --- you're so famous. If you've ever read any of the reviews in the Pittsburgh Post-Gazette or the Tribune-Review, there has never been a bad review of this actress. She has been in local productions as long as I have been in Pittsburgh, since 1988. She is known as really the finest actress in Allegheny County.

Not only in Allegheny County, but she has been in a number of films. She was in *Lorenzo's Oil*, *Passed Away*, *Dead and Alive*. Her list of accomplishments is so long, I couldn't go through it. She decided to stay in Allegheny County. She raised her family. She's from Mt. Lebanon. Her children went to school with my children. She comes to all of the events for her kids. She is a person who's been able to balance really a national career, stay here in Allegheny County, make us all proud

and continue to make this a better place to live. I just saw her at the Quantum Theatre, and when you are next to her and you get to see her in a play, you truly feel like you're in a little slice of heaven. You're in New York watching one of the finest actresses. So let me read this proclamation.

WHEREAS, each year the United States designates the month of March as Women's History Month, to recognize and honor the numerous and immeasurable contributions of women throughout our nation's history; and

WHEREAS, you are an actress residing in Mt. Lebanon who, throughout your life and career, has exemplified what it means to be a woman of character, courage and commitment, which is the theme of 2014 Women's History Month; and

WHEREAS, through your careful and contemplative selection process for the roles you choose to take on, you have crafted an image as a woman that transcends traditional gender roles, by promoting the accomplishments of women, encouraging women to stand up for their beliefs and future aspirations, and by acting as a role model for what can be achieved through dedication, hard work and perseverance. And on behalf of the people of Allegheny County who have enjoyed your work your entire career --- and I hope there's many, many, many more years of your career. And from all of the people here in Allegheny Council, all the people watching at home, we honor you and we thank you for your work and dedication to your craft and present this proclamation to you. Would you honor us with a few words, please?

MS. RUOTI: I'd be happy to. Thank you, Councilwoman Heidelbaugh and members of Council for this honor. I moved here in 1975 because I wanted to be an actor, and the opportunities there were quite different from what they have grown to become today. And I ended up choosing to live --- raise my family here. I was one of a handful of professional actors. Now there are over 300 of us here in town, here in the region that call us to become a liaison for the city out of Actors' Equity in New York City. For those of us who are professionals and who want to choose to make our living this way, there are so many more opportunities than there were when I first got here so many decades ago in that --- but also for those who chose to make their living in a different profession but

still embrace the performing arts as a --- as somebody who is a --- who does it for the love of it.

There are so many more opportunities for all of us. In any case, I want to thank once again the members of Council, Councilwoman Heidelbaugh. This is a lovely opportunity and a wonderful acknowledgement. I appreciate it.

(Applause.)

(Pictures taken.)

PRESIDENT DEFAZIO: 8163-14.

MR. CATANESE: Proclamation naming the month of April 2014 Fair Housing Month in Allegheny County. Sponsored by Council members Green Hawkins, Baker, Daly Danko, DeFazio, Ellenbogen, Finnerty, Futules, Heidelbaugh, Kress, Macey, Martoni, Palmiere, Rea, Robinson and the Chief Executive.

PRESIDENT DEFAZIO: Amanda?

MS. GREEN HAWKINS: Thank you. Joining me are Nathan Wetzel from the County's Economic Development Department and Cassandra Collinge, Assistant Manager of Consumer Programs of the Economic Development Department. And I will read the proclamation and ask them to share a few words with us.

WHEREAS, the 1968 Fair Housing Act guarantees the right to all Americans, regardless of race, color, sex, national origin, religion, familial status or disability, to live in the neighborhood of their choice, and is one of the most important components of our national civil rights policy;

WHEREAS, Allegheny County has expanded the protected classes to additionally include ancestry or place of birth, gender identity or expression, sexual orientation, marital status, age, use of a guide or support animal because of blindness or because the user is a handler or trainer of support of guide animals, or deafness or physical disability of any individual or independent contractor or because of the disability of an individual with whom the person is known to have an association; and

WHEREAS, although this non-discrimination policy is the law of the land, we must recognize that proper enforcement requires the continued cooperation of all levels of government, the real estate and home building industries and private citizens; and

WHEREAS, throughout Allegheny County, the spirit of cooperation is evident through the efforts of our federal, state and local governments with the support --- and with the support of countless community and non-profit organizations; and

WHEREAS, this county dedicates itself to promoting equal housing opportunity as an essential part of its larger mission of endorsing justice in all areas of life for all citizens. Allegheny County ensures its communities are open to all people, and citizens may exercise freedom to choose where they live; and

WHEREAS, the month of April is set aside to acknowledge the 46th anniversary of the Fair Housing Act and the work of the U.S. Department of Housing and Redevelopment, the Human Relations Commission of the County of Allegheny, the Pittsburgh Commission on Human Relations and the Fair Housing Partnership of Greater Pittsburgh, which ensure the protection of fair housing rights.

NOW, THEREFORE, BE IT RESOLVED, that Allegheny County Council, jointly with Allegheny County Executive, Rich Fitzgerald, hereby proclaims April 2014 as Fair Housing Month in Allegheny County. This Council and the County Executive recognize that everyone shares in the future of this great nation and thanks the Fair Housing Act for reminding citizens to not take these freedoms for granted. Thank you.

(Applause.)

MS. COLLINGE: Thank you, Councilwoman Green and all of County Council, as well as the County Executive, for the recognition of April as Fair Housing Month. As Councilwoman Green stated in the resolution, it is very important in the work that we do with the Department of Economic Development and the housing group, to have protections in place for the residents of Allegheny County, to show that they cannot be discriminated against in their efforts to obtain housing.

And while as mentioned in the resolution, while the federal law allows for many protections, Allegheny County has added additional protected classes, which further protects our citizens, and we applaud your efforts for that. We also appreciate your ongoing support for our Department's efforts to create high quality, affordable housing throughout Allegheny County. Thank you, again, and have a good evening.

(Applause.)

(Pictures taken.)

PRESIDENT DEFAZIO: 8164-14.

MR. CATANESE: Proclamation honoring Lighthouse Art, Incorporated, and naming April 2014 Jazz Appreciation Month in Allegheny County. Sponsored by Councilman Robinson.

MR. ROBINSON: Thank you, Mr. President, and members of Council. In 1066, when William the Conqueror came over from France and launched the largest land invasion of England to date, no one had previously been able to do that. No one had crossed the channel. No one had conquered England the way William the Conqueror did. And he changed a lot of things. The language, tinkered with the religion, did a lot of things. And he killed the king, King Harold. He had to kill him so he could put the crown on his own head. I say that to indicate that William the Conqueror did not conquer everything. He conquered England. He did some things that others had not done. Unfortunately, when he passed, he died alone, stripped of all his gold and weapons and power and was left to die. A loyal subject took his body to a monastery so that the king would receive a proper burial. Nothing lasts forever and nobody lasts forever, so while William the Conqueror did a lot of great things and has his name etched in the history books, he wasn't around when jazz music was created. That was a heck of a segue; right?

All right. Okay. Thank you for being patient. This is a good time to recognize artists. And since there are 30 days, at least, in April, we cannot only celebrate artists, but we can celebrate April as Jazz Appreciation Month, as we have in this Council for the last couple years. And again, I thank my colleagues for being kind and generous enough to allow that to happen. Today we're honoring an organization that's keeping the tradition of jazz alive, not only in our county, but wherever it's played. All of us have different genres of music that we like, but most of us will listen to any genre of music if it makes us feel good.

Jazz music has the distinction of being America's first and perhaps only original music that is enjoyed by everybody. And jazz musicians come in all shapes and sizes, all genders, all races, all colors, et cetera. And so I thank each and every person in our county, in particular, who has taken time to appreciate

jazz over the years and who recognizes April as Jazz Appreciation Month. Lighthouse Arts, Incorporated, is an organization that's dedicated to keeping jazz alive in our area, and it's spanning the arts to those who will listen, study and read,

Today we are honored to have, representing Lighthouse Arts, Incorporated, Dr. Harry Clark. Some of you don't know Dr. Clark who is sitting right here at the end of my finger. Pardon me for pointing. Dr. Clark has the distinction of creating the School for the Performing Arts, of our Pittsburgh public schools. It's the first school of this type in the United States of America and today one of the most outstanding schools to produce musicians, dancers and others in the performing arts. Fortunately, Dr. Clark is still alive and well and with us and one --- very much so, sitting right there. He did not have the fate of William the Conqueror.

I'm going to ask Dr. Clark if he'd be kind enough to join me as I read this proclamation, and he tells us more about Lighthouse Arts, Incorporated. I had the pleasure of meeting with some of the members of this organization a couple months ago when they explained what they were trying to do. And we were entertained by a very talented group of artists, some of whom knew Dr. Clark not only from his playing days --- this gentleman is a fine musician --- as well as his days as a teacher. And they remembered him creating this very fine school here in Pittsburgh, which does not bear his name. I don't think Dr. Clark would accept that. He didn't do it for Harry Clark, he did it for the kids. And I thank him for being so humble and unassuming when people like myself try to lavish praise upon him.

WHEREAS, jazz is an original American art form that affirms the noblest aspirations of our national character, individual discipline, perseverance and innovation; and

WHEREAS, jazz has spoken eloquently of freedom for people in the United States and abroad, and has become an international language that bridges differences and brings people of all races, ages and backgrounds together; and

WHEREAS, organizations in Pittsburgh and Allegheny County, such as Lighthouse Arts, Incorporated, teach and preserve jazz music's history and culture; and

WHEREAS, Lighthouse Arts, Incorporated, founded by Dr. Harry Clark, George Heid, Thomas Wendt, John Trabucco and Dana Payne, was established to present, promote and document the journey of great jazz artists, past, present and future; and

WHEREAS, Lighthouse Arts has partnered with schools, art organizations and the community to promote an awareness and appreciation of jazz music; and

WHEREAS, we honor and recognize Lighthouse Arts, Incorporated, and the outstanding work that all jazz artists, educators and enthusiasts present.

NOW, THEREFORE, BE IT RESOLVED, that Allegheny County Council commends Lighthouse Arts, Incorporated, and all the local musicians and organizations who preserve and continue to celebrate jazz in our community and across our country. Furthermore, this council does hereby name April 2014 as Jazz Appreciation Month in Allegheny County. Sponsored by myself, but I'm sure I speak on behalf of all my colleagues, who are appreciative of the great jazz tradition in Pittsburgh and Allegheny County. This county and this city probably can claim more great, by any measurement, jazz artists as any place in the United States of America. The artists recognize that this is, in many respects, the hometown of great jazz artists, many of whom you've heard, many of whom you know and fortunately, many of whom still reside here in our city. Dr. Clark will now tell us a little bit more about Lighthouse Arts, Incorporated. And I thank him very much for taking his time to start a program, and he could be around to see it grow and prosper, and know some of the very fine people who have been participating there, people like Roger Humphries, who we honored here recently, who was a teacher, innovator and mentor at CAPA until his retirement.

I believe it was last year or the year before, we had a gentleman who's deceased now, Mr. Chuck Austin, come in. And Mr. Austin played for us, and he said that he was playing on behalf of all jazz artists, not on behalf of Chuck Austin, that he was a little tentative about playing for fear that folks would think he's trying to grab the limelight. Much like Harry Clark, Chuck understood the appropriateness of giving the credit when it was due. And so I give you Dr. Harry Clark.

(Applause.)

DR. CLARK: Thank you, Councilman Robinson, and thank you to the members of the Council. I will say I was a little scared sitting there, not knowing what the next few minutes were going to bring to me, but I want to say that it is an honor to be here. I'm co-president of Lighthouse Arts, Inc. --- and George Heid, who is just appearing right now --- come on up, George. This is George Heid and, believe me, he has vision. And between the two of us, we've managed to be able to put something together that we truly, truly believe in. And to not take a lot of time, but just to let you know, I'm going to steal a little bit of your thunder. As we speak, his son, who went through CAPA High School, is presently performing seven nights a week in China.

(Applause.)

DR. CLARK: The organization does look at the young people and celebrate them. The organization looks at our Roger Humphries of the city and a number of other great musicians who have come through and have decided to stay here and make their livelihood here, which is not an easy thing to do. And one of the things that Lighthouse wants to do is to continue that whole celebration of embracing these musicians, supporting them and giving them as much exposure that we possibly can, and at the same time, using their skills to be able to take them to the schools and operate to give the young people an opportunity to see what's possible. I won't say much more since George is here. Say a couple words.

MR. HEID: First of all, thank you very much. It's an honor and a privilege to be here to receive this. I want to just share that Lighthouse Arts, Inc. has seen that this music called jazz has fallen in sort of the back waters. And it shouldn't, because it's a gift to the world from a journey in this country of people that brought genius. And the beauty of it is although there's no airways to hear it and there really aren't any real official clubs where there's a piano to go hear it like in the old days, it is our intention to still raise and elevate the great artists so that today young folks are coming up.

Yes, my son is one of them, but it's beautiful to know that CAPA was a great creative force for a number of fine young artists that are still out there playing this music in the most meaningful way and actually making a living in a culture that doesn't regard this music as

really relevant, but it is. It's so relevant that it brings joy and fulfillment and a spiritual uplifting to all that hear it, when it's done with the beauty and genius of those forefathers and foremothers, I guess you can say, that created it. And Pittsburgh's legacy is monumental for offering those souls, so we're very, very delighted and very inspired to continue on with that and hope that you will hear something sometime soon that Lighthouse Arts has created for you. Thank you.

(Applause.)

(Pictures taken.)

MR. CATANESE: Do you want to re-read back from here?

PRESIDENT DEFAZIO: Yeah. Go ahead. What was it, 20 ---?

MR. CATANESE: That was the first one.

PRESIDENT DEFAZIO: Yeah. We're going to bring her up now, 8162.

MR. CATANESE: 8162-14. Certificate of Recognition awarded to Ms. Dorothy Ruth Moone Beavers, upon the occasion of her 100th birthday. Sponsored by Council member Futules.

MR. FUTULES: Ladies and gentlemen, I have such a very special guest this evening. I received an e-mail about two weeks ago from my staff, and they said we have a young lady who is celebrating her 100th birthday.

(Applause.)

MR. FUTULES: So I e-mailed my staff back and I said, what nursing home do you want me to send the proclamation to? They e-mailed me back and said, she's not in a nursing home. I said, okay, do you want me to send it to her house? No, Dorothy wants to come and receive it.

(Applause.)

MR. FUTULES: That alone just brings back emotion in me, I'll tell you that. But the reason she's late, frankly, the elevator broke, and she had to park on Grant Street, because she drove her daughters down and then they had to come down Forbes Avenue, get through the metal detector --- did they frisk you? Listen, they'll be there for another half hour, if you want to go back. The elevator is broke and she had to walk up steps. I'm making that up, aren't I? Sounds good, though, doesn't it? I just can't believe how proud I am to have a young lady here from Penn Hills. By the way, I was born and

raised in Penn Hills myself. Okay. So I'm from Penn Hills, too. So I want to reflect a little bit on her life because you were born in 1914; correct?

MS. BEAVERS: That's right.

MR. FUTULES: January 1, the first scheduled flight was to St. Petersburg, Florida. On January 5th, Ford Motor Company wages went from \$2.40 to \$5.00, and that was for an eight-hour day. On January the 14th, Ford introduced the assembly line for the Model T Ford. On February 4th, Charlie Chaplin debuted in his first film called The Tramp. On February 12th, the first stone was laid for the Lincoln Memorial. On February 26, the Britannic was launched, the sister ship to the Titanic. On April 9th, a full color film shown in London. On April 16th --- do you know what happened that day?

MS. BEAVERS: That's the day I was born.

MR. FUTULES: That's the day Dorothy was born.

(Applause.)

MR. FUTULES: Do you know what happened on April 17th?

MS. BEAVERS: No.

MR. FUTULES: That's the day I was born, 39 years later. My birthday is the day after yours, so our birthdays brush one another. That's how close you and I are.

MS. BEAVERS: So we can celebrate together.

MR. FUTULES: That's right. We're not going drinking, are we? We don't do that no more. Okay.

MS. BEAVERS: No.

MR. FUTULES: Here's something we all remember. On April 22nd, Babe Ruth played in his first professional game as a pitcher. May 7th, the United States Congress established Mother's Day. On August 5th, the first traffic light was installed in Cleveland, Ohio. Now I just wonder who the first person was to actually get a ticket for going through the light. Had it have been me --- if I was around, it would have been me. No doubt about that. I want to read your proclamation about your life and ---.

This Certificate of Recognition is presented to Miss Dorothy Ruth Moone Beavers --- where did you get four names?

MS. BEAVERS: I started out with none.

MR. FUTULES: There you go. A resident of Penn Hills, upon her momentous occasion, for her 100th

birthday, which we celebrate on April the 16th. Mrs. Beavers was a long-time employee of Allegheny County. You worked for the health department as a nurse --- and you're going to like this, guys --- not only is she on the Board of Elections, which she still continues to do today --- unbelievable.

(Applause.)

MR. FUTULES: Dorothy is the proud parent of two daughters --- behind me, I assume, and five grandchildren, ten great-grandchildren. And she enjoys volunteering and helping to better the lives of others evident through her work as a foster grandparent and through her work with the Red Cross. We honor Dorothy for her longevity, which can be attributed to her positive attitude and outlook. Furthermore, we commend Ms. Beavers for her independent spirit, taking a proactive approach to life. And we wish her the best as we celebrate her 100th birthday. I have something very special for you today, too.

(Applause.)

MR. FUTULES: I bought you a cake, and I want everybody in the room to celebrate with me as we sing Happy Birthday to Dorothy. I'll start. Please join in. I'm not a singer. I'm not a singer.

(Happy Birthday sung.)

(Applause.)

MR. FUTULES: And I want a hug now. Congratulations. Would you like to say something? You can. After 100 years, you might have something to say. I don't want to put you on the spot, but come on over.

MS. BEAVERS: I was here before electric lights. I saw the first Zeppelin fly. I was here before television. We had street lights that men came around with a ladder and climbed the pole and lit the gas lights. But it's so nice ---.

MR. FUTULES: Did you have a washer and dryer?
No.

MS. BEAVERS: The washer and dryer came later, much later. In fact, we didn't have refrigerators, we had iceboxes. And we had gas meters. We didn't have people coming around reading your meter. When your quarter ran out, you found out. We didn't even have gas bills. And gasoline was only about 25 cents a gallon. Well, in fact, most of us had a horse and buggy, so ---. But I do remember one time when we ran out of gas and tried to put the car in the garage. And my father came out with a

gasoline can and told us to get out, gave us a gasoline can and a quarter. He did not even tell us what was wrong. So there are a lot of tales that I could tell you about, but I'm writing a book and I'll put it in there.

(Applause.)

MR. FUTULES: Absolutely. I think your daughter wants to say something.

DAUGHTER OF MS. BEAVERS: Just it's a privilege being her daughter, because she's still cognizant. As a matter of fact, she was in the hospital for something minor. She doesn't take any medications, so she's not sick. She doesn't have anything wrong with her heart or anything, because she has studied well her nutrition and she takes care of herself in that way. But she still has jokes. She has a lot of wisdom. And you know, I mean, when I think about it, it probably blows my mind every day, because we don't --- we're not in contact with anyone that has lived this long. And so it's really a privilege. But last year when she was in the hospital, the doctors said, well, what should we do? Should we release her to a nursing home?

And a social worker came and interviewed her, and when the interview was over, the social worker said, this lady is not nursing home material. She would be running the nursing home. Because she actually is a former nurse. She studied in Virginia. She --- when she came back to Pittsburgh, unfortunately, she was not permitted to practice right away. It was not a day for women of color to be able to practice nursing. And so she was one of the first --- not the first, but one of the first women that was allowed to practice down at Passavant Hospital, when it was down on the hill. So there's a lot of history here, and you probably should look forward to her book, because she could talk all night.

(Applause.)

DAUGHTER OF MS. BEAVERS: I will keep this short, but I was happy to see Dr. Clark. I was actually one of the first teachers that he had, academics. But when --- who was it who was talking about him, Mr. Robinson, him still being here and not --- okay. And you said that he wasn't --- he was still here and he hadn't gone the way of Alexander the Great or whoever. Well, I do have to tell this story. She, my mom was --- when she came into the world, she was the child out of nine brothers and sisters, who gave them the most problem

coming into the world. And she had, what was it, four childhood illnesses at one time, when she was under the age of ten.

And in fact, the doctor that delivered her --- this is what made me think of it --- used to see her later on and say, you're not dead yet? So she's supposed to be here and we're all the better for it.

(Applause.)

(Pictures taken.)

MR. FUTULES: Thank you, Dorothy. Thank you so much.

PRESIDENT DEFAZIO: 8117-14. And the rest of them will be read into the record.

MR. CATANESE: Proclamation in recognition of Women's History Month, honoring the Honorable Donetta W. Ambrose, Senior Judge on the United States District Court for the Western District of Pennsylvania. Sponsored by Councilwoman Heidelbaugh.

MS. GREEN HAWKINS: Mr. President, I'd like to be added as a co-sponsor to 8117-14, if I may, please. Thank you.

MR. FINNERTY: I also would like to be added as a co-sponsor on that.

MR. CATANESE: Okay. 8165-14. Proclamation commending Get Involved, Incorporated, and naming March 25th, 2014, as Pittsburgh Service Summit Day in Allegheny County. Sponsored by Council member Baker.

8166-14. Proclamation declaring April 13 through April 19, 2014 Childhood Cancer Awareness Week in Allegheny County. Sponsored by Council members DeFazio, Baker, Danko, Ellenbogen, Finnerty, Futules, Green Hawkins, Heidelbaugh, Kress, Macey, Martoni, Means, Palmiere, Rea and Robinson.

8167-14. Proclamation honoring Chief Justice Ronald D. Castille for receiving the Amen Corner's Judge Robert E. Dauer Award for Judicial Leadership and Excellence. Sponsored by Council members DeFazio, Danko, Ellenbogen, Finnerty, Green Hawkins, Kress, Macey, Martoni, Palmiere, Rea and Robinson.

8168-14. Proclamation honoring Judge Robert E. Colville for receiving Amen Corner's Lifetime Achievement Award. Sponsored by Council members DeFazio, Danko, Ellenbogen, Finnerty, Green Hawkins, Kress, Macey, Martoni, Palmiere, Rea and Robinson.

8169-14. Proclamation honoring Judge Kim D. Eaton for receiving Amen Corner's Judge R. McGregor Award. Sponsored by Council members DeFazio, Danko, Ellenbogen, Finnerty, Green Hawkins, Kress, Macey, Martoni, Palmiere, Rea and Robinson.

8170-14 will be held.

8171-14. Proclamation honoring in memoriam Captain Sean Michael Ruane from Kennedy Township, who paid the ultimate sacrifice on January 7th, 2014 while instructing a U.S. Air Force helicopter air crew on a combat search and rescue mission. Sponsored by Council member Finnerty and Treasurer John Weinstein.

8172-14. Proclamation honoring in memoriam, Andrew "Lefty" Palm, a United Steelworkers union official, dedicated to preserving workers' rights and benefits. Sponsored by Council member Green Hawkins and Council member DeFazio.

MR. FINNERTY: I'd like to be added to that one.

MR. MACEY: Me, too.

MR. ROBINSON: Me, too.

8173-14. Certificate of Recognition awarded to the members of the United States Submarine Veterans of the Requin Base, for being inducted into the Holland Club on April 11, 2014. Sponsored by Council member Kress.

8174-14. Proclamation declaring April 6th through the 12th, 2014 National Crime Victims' Right Week in Allegheny County. Sponsored by the Allegheny County Council.

8175-14. Certificate of Recognition congratulating Ms. Ada Moran upon the occasion of her 100th birthday. Sponsored by Council member Macey.

8176-14. Certificate of Recognition awarded to Mr. and Mrs. Joseph and Patricia Lennon upon the occasion of their 50th wedding anniversary. Sponsored by Councilman Macey.

8177-14. Certificate of Recognition awarded to Samuel DeMarco, John Diagacimo and Nick Tomasello for their 60-plus years of dedicated service to the Citizens Hose Company Number 1 Volunteer Fire Department. Sponsored by Councilman Macey.

8178-14. Certificate of Recognition awarded to Lincoln Borough police officers, Michael Mihal, Matthew Bissell and David Barnett for their lifesaving actions on February 27th, 2014. Sponsored by Council member Macey.

8179-14. Certificate of Recognition awarded to Anthony D. Dalesio, Austinjit S. Khara and Dylan R. Shumaker of Boy Scout Troop 184 for earning the rank of Eagle Scout. Sponsored by Councilman Martoni.

8180-14. Proclamation honoring in memoriam, Harold Young, founder and executive director of the Homewood Jazz Group. Sponsored by Council member Robinson.

PRESIDENT DEFAZIO: Public Comment on Agenda Items. 8181-14.

MR. CATANESE: No. We've got to do the agenda comment, comments.

PRESIDENT DEFAZIO: Oh, I'm sorry. Do we have any public comment on agenda items?

MR. CATANESE: Yeah, we have 59.

PRESIDENT DEFAZIO: Okay. Yeah. Okay. Let's start with Pia Colucci.

MS. COLUCCI: Pia Colucci, 4725 Wallingford Street, Pittsburgh. Good evening, Council members. Both of my parents were immigrants to this country. Both were physicians. My mother was an exceptional diagnostician. Because of her and Massachusetts General Hospital, my father lived for an additional 20-plus years with a fierce cancer, while my sister and I were small and until we grew up. My mother always said to us if ever you find yourself with a serious, difficult illness, seek out the number one in the country and go to them.

How does this relate with our situation with fracking under the parks? Well, it ties in with due diligence and responsibility. I was thrilled when one of our Protect Our Park members was able to arrange a meeting for you with John Smith, the number one knowledgeable attorney on Act 13, and what it means to you as our elected officials. I knew this meeting would be full of great information, a one-on-one chance to ask all your questions about liability, due diligence and responsibility with the man who stood up to the frackers and who stood up for the citizens. What an amazing meeting it could be. Imagine our disbelief when that meeting was cancelled just before it was going to take place by Dr. Martoni. A scheduling conflict was noted. Every member had a scheduling conflict? I can't believe that. I know that there were members that wanted to attend. To say you will get your own attorney because Mr.

Smith was too one-sided astounds me. It is exactly as my brilliant mother warned against.

Go to the best when faced with the most serious. That opportunity was squandered. I can only describe this as negligence, and it will be noted as a failure to complete due diligence. It's shameful indeed. Every day I read more and more countries, or their provinces and their cities, are banning fracking and moving towards renewable energies, ones that will never have toxic spills or blowouts. What is a solar spill considered? It's considered a sunny day. Wind doesn't explode nor spill. Why can't western PA be the forefront of renewable manufacture, instead of the bowels of fossil fuel industries? Why? Why are you doing ---? What are you doing as our elected officials to uphold our state constitution or your oath? Nothing, if you don't start here and ban fracking under our parks.

It's going to happen anyway, says Mr. Fitzgerald and Mr. Gulick. Then if that's true, let it happen away from our park in the other direction and without your green light or your liability, which will follow. But I will bet that the big gas play, the one that Range and Huntley are salivating over, is underneath that park. Without that parcel, the romance loses its luster. End this insanity and protect our parks. Protect our citizens' health. Save our earth. Do not vote for Mr. Fitzgerald's payback of his campaign debt. Stand up for us. Thank you.

(Applause.)

MR. FUTULES: Mr. President, may I have a point of special privilege?

PRESIDENT DEFAZIO: What's your point?

MR. FUTULES: My point is I have a motion here that I wanted to say before the speakers start. I don't want them to go home without me making this announcement.

PRESIDENT DEFAZIO: What's it pertaining to?

MR. FUTULES: It's pertaining to a hearing on Marcellus Shale here at the county office here.

PRESIDENT DEFAZIO: Go ahead. What is it? Do you have the ---?

MR. FUTULES: Yeah. Can I make a motion?

PRESIDENT DEFAZIO: Yeah. Do you have it --- are you making copies or are you just going to read it?

MR. FUTULES: Where's he at?

MR. BARKER: Make a motion to suspend the regular order of business.

MR. PALMIERE: Second.

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

MR. FUTULES: Yeah, I know, but Mr. Barker has the motion.

PRESIDENT DEFAZIO: Wait. All those in favor of his motion, signify by saying aye.

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it. Okay. We suspended. He's making copies for you?

MR. FUTULES: He has it right there. Where did he go?

PRESIDENT DEFAZIO: AWOL.

MR. FUTULES: He got them

PRESIDENT DEFAZIO: Yeah, pass that out, then he'll read it.

MR. FUTULES: Do you read the caption, Joe?

MR. CATANESE: Yeah.

MR. FUTULES: Okay.

PRESIDENT DEFAZIO: And the reason why we're letting this happen is because it's pertaining to everyone in this room about the meetings because he wants to let you know so you don't have to wait until the last minute.

MR. FUTULES: Yeah. I'm afraid some of you folks might go home by the end of the hearing and I wanted to do this before you did. You got a copy, Joe? Give him one. Everybody else got them, I think. Is that a different motion you're passing out? I have one. Who's going to read the caption?

MR. CATANESE: Motion of the Council of Allegheny County authorizing the Council of Allegheny County to conduct a public hearing pursuant to Article II.G. of the Rules of Allegheny County Council, on April 15, 2014, beginning at 5:00 p.m., in the Allegheny County Courthouse Gold Room, located at 436 Grant Street in Pittsburgh, PA. Council Vice President Futules will be the presiding officer for such public hearing.

MR. FUTULES: Yeah. I just want to apologize for the fact that this wasn't on the agenda in advance, because we were actually trying to go back to Deer Lakes High School, and we were unable to secure an area in Deer Lakes for this hearing. So we decided that we would have

it here at the County Courthouse. And I make a motion to approve, ---

PRESIDENT DEFAZIO: Okay.

MR. FUTULES: --- to accept.

MR. FINNERTY: Make a motion.

MR. FUTULES: I did. I made a motion to accept.

PRESIDENT DEFAZIO: All right. Second. Other remarks?

MR. BAKER: Mr. President?

PRESIDENT DEFAZIO: Yes.

MR. BAKER: Mr. President?

PRESIDENT DEFAZIO: Yes?

MR. BAKER: Is it important at all --- it says who's coming. Does it matter to list them all or is it fine just with DeFazio, Futules and Kress?

MR. FUTULES: Oh, no, no, that's ---.

MR. BAKER: Just the three?

MR. FUTULES: That only means --- three people have to agree to show up.

MR. BAKER: Okay. There'll be many more than that.

MR. FUTULES: I agree, but everybody --- absolutely. I want to see every Council member here rules.

MR. BAKER: Okay. Just making sure.

PRESIDENT DEFAZIO: Any other? Seeing no more remarks, all those in favor, signify by saying aye.

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it. Okay. We'll continue.

MR. FUTULES: Thank you, sir.

PRESIDENT DEFAZIO: Aaron Booz --- Booz (changes pronunciation)?

MR. BOOZ: Booz, Aaron Booz. Aaron Booz, 3181 Bel Air Drive, Whitehall. I became involved in the Protect our Parks Coalition in order to protect not just Deer Lakes Park specifically, but all of our county parkland, including South Park, which I use frequently. I was and continue to be concerned because Mr. Fitzgerald has in the past said that he wanted to look at any public land for shale gas fracking. I figured that if one park released, others would soon follow, especially given his ties to the frack gas industry.

I had found Deer Lakes Park to be completely pleasant and usable the couple of times that I've been

there, but I always assumed that I'd be missing something. But as I've talked to the growing number of people who are joining this coalition, those who know this particular park well tell me that despite what Mr. Fitzgerald keeps saying, there are no major problems with this park at all. There's certainly nothing that would warrant risking the future usability of the park for generations to come. And even if you thought that fracking is always done properly and that it never causes any problems, and even if you thought that Range Resources was an excellent company for municipalities to deal with, this risky plan seems to me to be a solution in search of a problem. Now if you want to look for issues with public infrastructure in this region or this nation at this point in history, you'll be able to find many. But Deer Lakes Park would have to be at the bottom, not the top of that list. I try not to pass on secondhand information, so I'll leave the details about the park's facilities to those who know them best. Some of you may be speaking tonight, and I'm sure others will be in touch with you if they haven't been already. Secondly, on a related point, I'm also concerned that the County Executive has targeted this park and the people who maintain it for unfair criticism.

Isn't it the job of the County Executive to tout the facilities and opportunities of our great county, so that we attract new families to the area and improve our situation? It's definitely not his job to talk them down and emphasize negativity repeatedly in the press, not to say that our public lands are falling apart or poorly maintained. Now, I'm sure that Mr. Fitzgerald knows that part of his job is to attract people to our county. So it leaves me wondering what his agenda is, why he's chosen to give the same negative messages again and again in the press, if we take a look at how he's handled the issue since last summer.

Some Council members have been concerned that they've been kept in the dark. Some Council members have been concerned that they weren't included in the process. His press release sent out before the last Council meeting made it sound like County Council was irrelevant and that your votes are not required on this issue. And finally, if you take a close look at the lease that he's introducing tonight, it turns out that it's really just a blank check. It --- after you read each of its toothless provisions, you find out that it simply authorizes Mr.

Fitzgerald to lease the park. But the actual lease could end up looking much different than the one you have before you.

All of this combines to make it look, again, like a solution in search of a problem. So I'm asking the members of the Parks Committee and all of you to ask more questions, to be skeptical, to consider the actual state of the park that has been so targeted for undeserved criticism. We support you in your effort to protect our parks. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. The next speaker can't be here, so we'll move down to Marc Bowman and then followed by Carrie White after that.

MR. BOWMAN: I'm Marc Bowman, 5302 Overlook Glen Drive, 15236. As someone who uses the parks frequently, I don't think it's a good idea to --- for Allegheny County to sanction drilling underneath any of them. I also think --- I don't feel like --- that such a polluting, noisy and dangerous industry, like industrial thing, has a place in an area that's supposedly like a sanctuary from that sort of thing. And that's all. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Carrie White? Carrie White, followed by Chelsa Wagner. Carrie White? Okay. We'll move down to Chelsa.

CONTROLLER WAGNER: Thank you, members of Council and to the Chair for giving me this courtesy. I want to speak on a larger issue, which I brought to your attention about two months ago, regarding life insurance for County employees. And I will do this within the three minutes, but I think it's important to look at this as a larger issue, because it also ties in to why you have all of these people here in regards to how our government is being run. Briefly, as you know, I submitted legislation as sort of a last resort, because there was an issue which we should have been able to fix rather simply with retiree life insurance, that was not being addressed.

At the last meeting on Budget and Finance, there were some inaccuracies which I believe are important for me to address. My deputy, Amy Griser, who many of you know and, I think, respect --- she has many years with this county --- she came to speak on my behalf because I had a previous commitment. We were told --- or she was told, rather, that, number one, she cannot speak for me

and, number two, we were told that I do not have the authority to submit legislation. My deputy --- my ability to have a deputy is created by statute. She is not only sworn in, she is actually bonded. So the Second Class County Code recognizes the importance of the position of Controller.

And because of that, they place the importance so that if I get hit by a train when I walk out of this door tonight, you'll have somebody serving as controller. She frankly said to me when she came back that she felt like Rodney Dangerfield. I want to say, though, that this Council has routinely, for the past ten years, taken accepted legislation from row officers. The only exception would be this one. It would be the first time out of 25 that have been accepted. And notably, 24 of those have been passed. The only one that hadn't was one that I submitted two years ago. But how this connects to Marcellus Shale, as you know, and some of the members of this council, I'm an attorney. That is how I am trained. I believe in good government, and I believe that good government is not just a convenient sort of catch phrase. It's about the transparency, it's about the checks and balances. And I will say briefly on the subject of drilling, as a resident and as controller, I am firmly against this. But I also think that you can be pro parks without being anti-Marcellus Shale.

The other speakers that have already spoken raised the issues of why now? But I'll tell you, and I can frankly just say this piece with a grain of salt. I've had people raise --- raise serious concerns to me, some of which I have been able to verify. But one person recently said to me there are discussions with two other parks in the works. That concerns me, and I think that's something we all should look into. But I simply want to be here to just speak on the record in terms of my role as Controller, how that relates to precedent. And I thank you for giving me the courtesy of speaking.

(Applause.)

PRESIDENT DEFAZIO: Tim Ludwig? Tim?

MR. LUDWIG: Tim Ludwig, 18 Greismere Street in Etna. Mr. Fitzgerald is introducing an ordinance today, not a lease, an ordinance. It's important to make that difference. Mr. Fitzgerald, on his website, stresses that a lease is not part of the legislative process. But remember, according to the County Charter, the County

Council, and only the Council, has the power by ordinance, lease, convey, vacate or abandon, or permitted the use of County land, buildings or other real or personal --- personal property, not the Executive.

So what does this ordinance have to do with the proposed lease? Absolutely nothing. It never mentions this. The first part of the ordinance says, whereas, the County has conducted a careful and considered review of the proposal by Range/Huntley; and whereas, Range/Huntley jointly submitted a proposal in response to Specification Number 7154 to lease the County's interest and Deer Lakes --- and Deer Lakes' mineral rights without drilling anywhere on the surface of Deer Lakes Park, hereinafter the proposal; and whereas, the County has conducted a careful and considered review of the proposal by Range/Huntley; and whereas, the County has conducted lengthy negotiations with Range/Huntley for the lease the Deer Lakes mineral rights in accordance with the general framework, terms, conditions and requirements set forth in Specification Number 7154. So let's just follow the logic there. The Executive asks for proposals. He received one, didn't show it to Council. Some members have asked for it publicly. When I asked for the answers during the public hearing, he told me and the public there to look online at some magical website, and find the answers that Range/Huntley has responded with.

He has never released a proposal. He has told the public that the Council was involved in negotiations, even though no one on the Council saw the response to the RFP and, instead, negotiated a lease in private with Range/Huntley, who, I might add, are his campaign donors. There are items that are in the RFP that are not in the proposed lease, and there are items not in the RFP that are included in the proposed lease. The ordinance continues with Section Two, Authorization to Lease Deer Lakes Mineral Rights. County Council here does authorize the leasing of Deer Lakes mineral rights to Range/Huntley, on the condition that no drilling activity --- I'm going to skip a little bit because I'm running out of time.

Section Three specifically authorizes the way to effectuate the lease to the County Council, the County Manager and the Solicitor. So I'm going to summarize, kind of, what it says. It says that the County Council is giving the County Manager and Solicitor power to take any action necessary to carry out the lease. It doesn't say

anywhere the proposed lease or name the lease in the ordinance. The Executive could have saved us a lot of time. He could have introduced this back in December. The ordinance provides no information --- no new information since the RFP. We could have spent a lot less time in this Gold Room. I probably would have more hair left.

We were deceived last week when Ms. Heidelbaugh asked Mr. Fitzgerald, that it was her understanding that they would be presented with a negotiated lease and asked yes or no on that lease. That was obviously a lie. He is presenting you an ordinance. Don't go into this blind. At least look at the ordinance --- or at least look at the lease. Vote yes or no on the lease, not on this ordinance. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Dylan Weiss? Dylan Weiss?

UNIDENTIFIED AUDIENCE MEMBER: You skipped Valessa, Number Eight.

PRESIDENT DEFAZIO: Oh, Valessa.

MS. WEISS: I'm supposed to give this to you.

PRESIDENT DEFAZIO: She's first, then --- no, you are.

MS. SOUTER-KLINE: All right. I'm Valessa. I'm the western PA outreach coordinator at Penn-Future.

(Microphone adjusted.)

MS. SOUTER-KLINE: Is that better? All right. Thank you for this opportunity. I appreciate being able to weigh in. Drilling under county parks is unequivocally a bad idea. Allowing gas --- oil and gas drilling below public parks draws industrial activity directly to our natural resources, resources that are held in public trust, which the county has a duty to conserve and protect for future generations as well as this one. Penn-Future opposes drilling on existing parks altogether; or under, as well. In this case, we also have specific concerns about the lease that has been --- about the lease that we've all seen now at this point, which not only would open the door to drilling under county parks, but would do so in a way that fails to protect our water and prevent air pollution.

For example, the lease provides no protection of surface --- the lease provides for protection of surface waters but does not mention groundwater, potentially leaving drinking water at risk. Other requirements also

put surface and downstream drinking water at risk. Base line water testing is required, but the lease does not state what must be tested for, which leaves a lot of leeway. And the lease only requires testing six months in advance of actual drilling or spudding. A lot of activities take place and will lead up to spudding long before six months. That can impact drinking water and surface waters, as well, so that's very risky.

The lease also includes no provisions for monitoring or making air pollution impacts. With some of the worst air quality in the country, Allegheny County cannot afford to let this go forward and allow polluters to spew toxins without additional and extra controls and monitoring in place. There's also a fatal problem with the draft ordinance. It does not ensure that the lease revenue would be spent in a manner consistent with the County's legal obligations as the trustee of Deer Lakes Park for the citizens of Allegheny County. Any and all monetary benefit derived from transferring public natural resources to private development should be directly reinvested into our parks, not diverted to general operations.

Furthermore, despite a requirement for detailed documentation of bonus payments and royalties, the lease offers no means of verifying the accuracy of actual royalty payments and deductions. Even Governor Corbett has recognized that deduction provisions in leases can be abused. Do we really trust Range Resources and Huntley to ensure that we receive the full value of our shared community resource? For almost a century, Allegheny County has managed its parks in the public trust. Parks are community assets that offer essential ecosystem services while serving as a destination for recreation and relaxation. And they provide real community health and economic value for our entire region.

In the end, it comes down to this question. Do we want to turn our parks into magnets for industrial activity, or do we want to preserve them as sanctuaries from noise, traffic and pollution? Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Dylan Weiss --- or Dylan (changes pronunciation)?

MS. WEISS: I've got some goodies for everybody because I figured we needed a break and Easter is coming up, so I've got some little greeting cards for you with a

little bit more testimony on the end. Well, the one person should be here this evening ---.

(Microphone adjusted.)

MS. WEISS: The one person that should be here this evening isn't, but I will --- is everybody ready? Ready. I'm Dylan Weiss at 1503 Grand Cypress Lane, in Collier Township. And I want to thank everybody for giving me this opportunity. Well, either you're closing your eyes to a situation you don't wish to acknowledge, or you're not aware of the caliber of disaster indicated by the presence of potential fracking in your community. (blows whistle). We've got trouble, my friend; right here I say trouble in River City. Why, sure, last week was April Fool's Day, so I ask you, what kind of fool is Mr. Fitzgerald? They say there's fool's --- there's gold. Yes, there's gold right here under your feet in River City. But I'm here to tell you, Council, plain and simple, it's fool's gold. It takes judgment, brains and maturity to figure it out, but heck, Mr. Fitzgerald drank some of the industry's Kool-Aid, and he's been poisoned, poisoned all right, but in a different way, brain washed, poisoned by the slick advertising that big money can buy.

They say jobs; I say, to whom? You got one, two, three, four, five --- six temporary Texans. And that's Texans with a T, rhymes with P and stands for pollution. They say it's a bridge fuel. It's a bridge fuel, all right, to disaster. They say energy independence. I don't think so, not when it's going to be shipped overseas. That's right, yes; liquid natural gas made right here in the U.S. of A., my friend.

(Applause.)

MS. WEISS: So Council, we've got trouble, trouble right here in River City. Go ahead, I'd ask you, try to guess the poisonous chemicals contained in the fracking fluid. You can't, because the industry tells us it's their proprietary secret sauce. People, you cannot separate out the sugar-coated false advertising from truth and reality. But there's hope, only if you listen. Yeah, listen up, Council, because you've got trouble. Unconventional drilling will bring all kinds of fracking trouble; troubles like air pollution, water pollution, noise pollution, hydrogen sulfide gas leaks, methane emissions, causing a multitude of health troubles like headaches, nose bleeds, dizziness and lethargy. Add to that, bigger problems like cancer, birth defects. And

what about radioactive rocks, landfills, mud slides, explosions, fires, declining property values, global warming, climate change, boom-and-bust towns and earthquakes?

Did I mention fault? Well, whose fault will it be if you don't drive them out; yes, out of River City? It will be Council's fault.

(Applause.)

MS. WEISS: Now, listen, there's an answer to all this trouble, and I'm here with good news. It's spring. It's time to think green; green, that is green energy, and it's all around us. Well, just looky out the window. You've got energy. You've got the sun, the wind, the water. You've got biofuels. You've got geothermal and a bunch of others that them CMU think tanks are inventing. But most of all, to stop the trouble right here, right now, in River City, we need you, Council, to listen to the people. Stand up by doing the right thing, and that's a moratorium, with a capital M, rhymes with N and it stands for now. And I say the people need power. They need renewable power, and so I say power to the people.

(Applause.)

PRESIDENT DEFAZIO: John Detwiler, followed by Edward Chute.

MR. DETWILER: John Detwiler, 5723 Solway Street, Pittsburgh. If you were at Deer Lakes High School last Wednesday, you heard two opposite versions of fracking, as different from night --- as night from day. But if you only focused on whose version of fracking is right, you may have missed the real drama of the meeting itself. The first thing to notice last week was how completely that performance was a solo act. Of course, the County Executive did call the meeting, but most executives find ways to delegate speaking parts in critical meetings to other members of their team, even if they have to create ways. Here there was scarcely one question that Mr. Fitzgerald didn't take himself, all alone. He never passed the mic to anybody, even when he admitted that he didn't know an answer or when he blurted out something that proved he didn't know. No one on the platform put in a single word.

This is consistent with the history of the project, of course, as Time has already gone through. The second thing about Wednesday is how the companies vacated

their roles and left Mr. Fitzgerald speaking for them, as well as for the county. The press release said, ask questions of the county, Range Resources and Huntley and Huntley, but that never happened. Range contributed a vague overview of fracking by a young man who seemed right at home in a high school auditorium but has no clout as a corporate officer. And Huntley's sales pitch was delivered from the floor where questions were out of order and heckling was gaveled down. So when the evening ended, neither company was on the record about anything at all in this lease. And finally, you saw the level of controversy on Wednesday. I'm not talking about who's right but just the fact of the controversy. Now many real leaders dealing with controversial choices will slow down, thoroughly air the options and build a broad base of support. Mr. Fitzgerald's approach is the opposite; go up-tempo, drive for the goal, even swing his elbows a bit. Why does all this matter? Number one, because Range/Huntley has so far made no public commitment to anything Mr. Fitzgerald says they agreed to. They have let his misinterpretations stand uncorrected, but you didn't hear it from them. Number two, because no one in county government has been put forward as the man or woman accountable for getting what we've been told to expect from this deal. Last Wednesday would have been the time for that person to step up. Mr. Fitzgerald's grasp of this lease seems a bit tenuous, and his posture is more than a bit compromised.

So if he's the one we're looking to for enforcing this lease, as well as drafting it and interpreting it, the residents are not well served. It's said that everybody needs a boss. Unfortunately, gas leasing in this county is in the hands of somebody who doesn't have a boss, dealing with a contractor who's now well positioned to have everything their own way.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Edward Chute?

MR. CHUTE: I am Ed Chute. I live at 904 Valleyview Road in Mt. Lebanon. Please recall that I previously asked each of you to apply Cicero's cui bono smell test to your role as a steward for our public parks. I was chagrined for the County Executive and those of you sitting astride him last Wednesday at Deer Lakes High School. He seemed curiously inept for an elected official attempting to drum up support or sell his proposal.

Perhaps, he only said, thank you, Range, for its proposed lease. Rich Fitzgerald's response to many questions was I don't know or I don't have to tell you. He seeks agreement through trust or blind faith in him, rather than evidence, written documentation, independent investigation and thinking. I am here, however, to remind you that you have the final word and the ability to protect our parks from becoming an industrialized zone, which will mainly generate profit for a private corporation.

I received an education in listening to my many local and fellow Allegheny County residents, compared to the mainly politicians who supported the County Executive's plan, most of whom work for the county. One fatherly resident pointed out that post-production costs will be deducted from any royalties, so that no royalties may result, which is what I gather was the situation with his son's lease. Have you read that section of the lease, in the light of the Pennsylvania Supreme Court's Decision concerning royalties that even predates their recent decision on Act 13? It certainly doesn't appear as though Rich Fitzgerald has read it, but you can be damn sure that Range Resources knows all about it, which is why that page --- that clause is in their lease proposal.

Local media are very slow to criticize the drilling industry because of the advertising money they receive. We constituents aren't receiving any of Range's money promised by Rich Fitzgerald but not guaranteed in the lease or a contract, and I fear neither will the parks. What we will receive is the collateral damage repair bills to our roads, et cetera, but it is highly doubtful that the natural park setting can be restored if it isn't preserved by you in your role as stewards for our public land.

Finally, I ask you to consider the reality and consequences of not actually doing your own due diligence and simply accepting Rich Fitzgerald's proposal on faith. I encourage you not to make the same sort of mistakes so evident in his rather narrow money-driven view of our parks. Such a view of the public park doesn't pass the cui bono stink test for those of you --- those of us who still can smell. Instead, I admonish you to heed Horace's warning from over 2,000 years ago, littera scripta manet, things written down, stick around; but more specifically for our purposes, if it ain't in the lease, it ain't going to happen. In fact, even if it is in the lease, it still

may not happen. To believe otherwise is to be overly trusting and self-deceiving, as well as complicit and naïve, or maybe even corrupted by the lure of easy money, certainly not good stewards of our parks.

(Applause.)

PRESIDENT DEFAZIO: Gwen Chute, followed by Mel Packer.

MS. CHUTE: My name is Gwen Chute, and I'm a resident of Mt. Lebanon at 904 Valleyview Road. I also represent the views of the over 5,000 members of Sierra Club and the Allegheny Group. When the County Executive spoke at the screening of the new fracking documentary, *Triple Divide*, on March 12th, he was enthusiastic about the lease he has crafted with Range Resources. His speech was liberally sprinkled with words like trust and hope. The message was that we should trust in his plan and in Range Resources. Hopefully, he said, the parks will actually be improved because of a strong lease and the monetary benefits about to be bestowed upon them by the very company poised to damage and pollute them. What comes to mind is a line from a Monty Python skit. I love animals, that's why I like to kill them.

But Mr. Fitzgerald's crowing about the quality of his lease does not fill me with trust and hope for a problem-free outcome from industrial activity beneath our parks --- is a long way from preventing damage in the first place. We all know, no matter how vociferously some may deny it, but damage to the environment is inherent in the fracking process. Cement deteriorates, casings crack and leak, explosions happen and gas somehow miraculously overcomes the force of gravity to rise and contaminate ground and surface water and pollute the atmosphere. The only way to guarantee that such damage will not occur is for you, honorable members of the County Council, to just say no to Mr. Fitzgerald.

(Applause.)

I'm frankly astounded at how those eager to believe in this risky venture convince themselves that it is safe and disregard the well-documented record of damage to the environment and human health. Recently, in a cavalier demonstration of just such a lack of concern, a meeting with a leading attorney on Act 13 was abruptly cancelled on the day it was to take place. Could this be a case of, don't confuse me with the facts? Do you not feel obligated to make yourselves fully aware of your

responsibilities in light of the Supreme Court ruling on Act 13? Now I know you've heard from us that the county parks belong to the people, not to the County Executive and certainly not to Range Resources.

And you are the ones with the responsibility and the power to say no and protect our parks for us, the people, and generations to come. Ladies and gentlemen of the Council, we are still waiting for promised hearings from this body and for answers to the many, many questions that remain unanswered. I, for one, am not willing to rely on trust and hope in this matter. I don't think you should, either.

(Applause.)

PRESIDENT DEFAZIO: Mel Packer, followed by Robert Ziller.

MR. PACKER: Mel Packer, City of Pittsburgh, in the Point Breeze neighborhood. What's being placed in front of you right now and being distributed is a fairly comprehensive review of some of the major loopholes and failures of the proposed lease from Rich Fitzgerald, for fracking Deer Lakes Park. I presume all of you want to protect the parks because you're reading it. And if on conclusion you still believe he's telling the truth about the alleged benefits to the county, I will be collecting your bank account and credit card numbers after the meeting to give to my rich uncle in Nigeria. Let me point out some faults promoted by Fitzgerald, which by themselves should make you think twice.

One, at the Deer Lakes meeting a few nights ago, Fitzgerald, who has a degree in engineering from CMU, was asked, what could prevent fracking fluids and other chemicals from migrating up into aquifers and groundwater above them once fracking starts? And he replied --- get ready --- gravity, with a straight face. The laughter from the audience, which included some industry folks, was obvious. Gravity? I defy you, anybody here, to find one single scientist, geologist or even an engineering student who would support that absurd notion. Fitzgerald was glad the CMU president wasn't there, or they might have asked for their degree back.

Fitzgerald claim in that meeting that he had done polls showing the vast majority of county taxpayers support drilling under parks. Yet every poll any of us have ever seen reports that the public, whether county, state or national opposes fracking on public lands. When

Fitz was asked to produce the poll, he stalled. When asked where it was, he stalled. When he was finally asked to show it and prove its existence, he said, I don't have to. Those were his exact words. These are the words of a bully who insists that what he believes is what everyone believes, and the hell with you if you don't.

What you're being asked to vote on is not a lease proposal but an ordinance that allows Rich Fitzgerald to sign his lease and to change the terms of the lease once you give him that open check. This council is being bullied by a man who's determined to get his way, pay back his supporters in the fracking industry who doesn't give a damn about democracy or the views of this council or the public, unless you're willing to rubber stamp his every deed. This Council will bear the liability of the inevitable damage that's going to be coming. We are already defending his bullying tactics over the law nullifying past decisions, over the firing of the late Bruce Dixon as public health director, and that lawsuit may yet result in large monetary damage to the county, along with nullifying past decision. Frankly, Rich Fitzgerald is hanging this Council out to dry, and it's not Fitzgerald who will be sued for damages but the council that approves his action, because you're the ones that approve it and the taxpayers will have to cover the damage. Only you can prevent bullying, and it's your job to do it. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Robert Ziller?

MR. ZILLER: I'm Bob Ziller, 1147 East Street, Wilkinsburg. Mr. Fitzgerald has been saying that we won't be getting water testing at Deer Lakes Park unless there's drilling underneath the park. He's saying that unless we blast tens of millions of gallons of fracking fluid underneath the lakes, we can test the water. How absurd is that? That's like saying, we need to set the house on fire to see if the smoke detectors work. It was recently revealed in the Post-Gazette that the Pennsylvania DEP has confirmed that 98 wells have been contaminated by fracking.

The DEP, whose head was appointed by Governor Corbett, who took over \$1,000,000 from the gas industry, our DEP confessed that it doesn't keep track of the private settlements between the gas companies and landowners when their water is contaminated. So that

figure of 98 wells is just the tip of the iceberg. It only represents the people who have formally filed with the DEP. And of course, the gas companies make you sign non-disclosure agreements, so if you talk about your water being contaminated, you run the risk of being sued by a multi-national corporation.

Those 98 wells and many more have been around for generations and are now ruined, contaminated by short-sighted greed and stupidity. The gas company carpetbaggers come into our state, pay off the politicians they need to pay off and leave the good people of this state with contaminated water, contaminated water for our children, for our grandchildren, and I hope that's not our legacy. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Michael Simms?

MR. SIMMS: My name is Michael Simms, and I live at 219 Bigham Street, in Mount Washington, City of Pittsburgh. There are many good reasons to oppose fracking in Allegheny County parks. We fear that fracking fluid will pollute our groundwater and seep into streams and rivers. We fear that the air pollution will cause illness in our children. We worry that industrial accidents will endanger our families. We fear cancer. These fears are reasonable, and they are exacerbated when we consider the public record of the company that Mr. Fitzgerald has accepted campaign donations from.

Range Resources has a long history of violating the law by creating hazardous conditions and then bullying landowners in order to cover up its infractions. According to public records available to anybody that chooses to look, Range Resources Appalachia, LLC, the subsidiary that drills in Pennsylvania, has 1,217 wells. Of these, there have been 210 violations, with total fines of over \$2,000,000, including \$141,000 levied for a fracking fluid spill that killed aquatic life in Washington County's Brush Creek, which is protected by the state as a high quality waterway.

These fines do not even include the many large out-of-court settlements with landowners. Most of these settlements are undisclosed, but a few have come to light. For example, in 2011, Range settled for \$22,000,000 a class action lawsuit alleging that royalty payments to Pennsylvania landowners had been improperly reduced. Not having learned its lesson, in 2013, just last year, Range

again settled for \$88,000,000, a class action lawsuit alleging royalty underpayments. What gall, what arrogance this company has. Evidently, cheating landowners is just part of the business plan. In 2011, Range reached a \$750,000 settlement with a Pennsylvania family that alleged their ten-acre farm had been destroyed by drilling.

As part of the settlement, the family agreed to a gag order preventing them from talking about fracking for the rest of their lives. The gag order covered not just the adults but also the children, then aged seven and ten years old. The court transcript records an attorney for Range saying that the gag order against the children would certainly be enforced. If citizens who speak out about their right to clean water, clean air and safe environment are subject to gag orders and lawsuits, then something has gone wrong terribly in the political system.

(Applause.)

MR. SIMMS: Honorable Council members, please protect our parks. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Aryan Gamble?

AUDIENCE MEMBER: We couldn't hear you over the applause.

PRESIDENT DEFAZIO: Aryan Gamble? Okay.

MS. GAMBLE: Good evening. My name is Aryan Gamble, and I'm 14 years old. I'm here to speak against allowing hydraulic fracturing or fracking in Deer Lakes Park or any park at all. Fracking is a threat to the park. I won't be able to do any of the things I enjoy.

(Audience members unable to hear speaker.)

MS. GAMBLE: They want to pollute the public place that I enjoy, for private profit. Deer Lakes Park is an important part of my life. When we were low on money when I was a child, it was a nice free place to spend the day, chasing the ducks around the ponds, falling in a few times, running around on the playground and in the water. The companies who rob communities of their natural resources refuse to tell us all of the things they put in the ground beneath our parks, beneath our homes and indirectly into the water that we drink.

Lubricants, poisons to prevent bacteria from clogging the pipes, hydrochloric acid, lead, uranium, mercury, radium and formaldehyde and methanol are only some of the ingredients. They're too afraid to tell the

public about other stuff that they want to put in our groundwater and into our park. If these fluids stayed underground, they might not affect the human population. But they always find a way to the top through well heads, well blowouts, backflow of fluids to the surface and leaks throughout the system.

The ingredients that we do know about are poisonous, radioactive and corrosive. Putting these things into our groundwater will make people sick. Over 650 different products containing chemicals containing potential cancer-causing materials are used. I don't want to watch the people in our community go through battles with cancer. I remember my mom being sick from cancer treatments and how scary it was for me. We can't prevent every case of cancer, but we can avoid risky behaviors such as letting the big companies expose us to carcinogens in the places that we live, work and play. Waste fluids from fracking are left in open air pits for the liquid to evaporate. This process releases VOCs, or volatile organic compounds, into the atmosphere. These compounds cause air contamination, acid rain and ground level ozone. Toxic chemicals in the ground, air pollution and waste fluids are not the only forms of pollution that fracking will bring to our community. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Evan Selnekovic?

MR. SELNEKOVIC: Hi; good evening. I'm Evan Selnekovic, 1653 Relative Drive, in Verona; so Deer Lakes Park is pretty close to where I live. We like taking the kids up there. It's near Emmerling Park where I trout fish. So this is a place that we spend a lot of time. I was in the Navy Nuclear Program, a submariner electrician, and one of my favorite stories is about Admiral Rickover. when he went in front of Congress, he drank primary coolant water to try to convince people that nuclear power was safe if it was done properly.

It might be a little sick, but I would really like to watch Mr. Fitzgerald or any of the fracking representatives volunteer to drink the things that they want to put into our homes where our kids play, into our parks. I don't think it's justifiable to sell us out so somebody can make a quick buck and shirk their responsibilities, the way that happens with old coal towns all across Pennsylvania, places that look like they used to be nice. I only know Titusville and other places in

Pennsylvania because I'm a trout fisherman and we have some really great streams.

I'm sorry. I hate public speaking. This is important enough to get up here, though.

(Applause.)

MR. SELNEKOVIC: That's really it. I think I covered most of the other things I had notes on, the mystery stuff they dump in the water. And the other thing, I just wanted to encourage --- I don't know if you saw on Comedy Central, The Daily Show. We have stories from places around here --- I believe it was Chevron --- different company, same goal, same ethics, same exemption from the Clean Water Act, the Clean Air Act, the Safe Drinking Water Act. There's a reason that they skirt the laws, so maybe you could just put that they're not exempt from these laws that are meant to protect us and our kids. Take away their exemption if they really want to do it. Watch them drink their stuff if they really want to do it. I don't think it's worth it, and I really hope you don't do it.

(Applause.)

PRESIDENT DEFAZIO: Patricia Carpenter?

MS. CARPENTER: City Council and citizens, my name is Patricia Carpenter, 5742 Northumberland, Pittsburgh. You've heard a great deal of the information about the local issues concerning the whole idea of the lease. When I was researching what I might talk about today, I even found out that the EPA has not yet put together or published its whole analysis of just what will happen to drinking water, what we know about the history of fracking and drinking water. There's so much we do not know, so you, Councilmen and Councilwomen, would have to have not just information but great foresight, great wisdom to evaluate what will happen if you make this decision to what is, in fact, a legacy for us, for our children, for the animals, for not just two generations, but beyond.

One of the people that you honored today, Chief Justice Ronald Castille, in his December Opinion about Act 13 said Pennsylvania has a notable history of what appears retrospectively to have been a short-sighted exploitation of its bounteous environs, affecting its minerals, its water, its air, its flora and its people. So retrospectively, we have been short-sighted in the past. It is so important that I truly pray for you, that you

have the wisdom and the appropriate values not to be short-sighted and not to exploit now. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. William McDonald? William McDonald?

AUDIENCE MEMBER: That's not him.

PRESIDENT DEFAZIO: Okay. Let's go to Terri Supowitz. Terri?

MS. SUPOWITZ: Good evening. I'm Terri Supowitz, 310 Hay Street, Pittsburgh, and I'd much rather be there in my house, in my garden, gardening on this beautiful evening. Someone on Council said that fracking can't be as bad as we have been saying it is, because they wouldn't do it. I say where money is concerned, greed is the goal. There are those who will do and say anything. Case in point, cigarettes. As early as 1950, there was a close link between smoking and lung cancer. In 1954, it was confirmed. It wasn't until 1998, 48 years later, that most agreed, the public, the government, that smoking caused cancer. Is there anyone now who questions the connection between smoking and cancer? I don't think so. Would any of you buy your kids a pack of cigarettes? If we wait 50 years to accept the fact that fracking causes severe impacts on health and our environment, most of us and our children will have cancer or be dead. In 1954, cigarette companies got together and had --- and published a statement called the Frank Statement.

And that's what I'm going to read to you. This is a little background. A Frank Statement to cigarette smokers was a historic ad run by the major American tobacco companies on --- in 1954, that was carefully worded to counteract early published studies indicating cigarettes cause disease and to lull the public into belief that the tobacco industry was doing something about the problem. The ad marked the turning point in the tobacco industry's history, the beginning of the industry's lengthy U.S. misinformation campaign about the health effects of tobacco; misinformation, which is what all of us have been getting, all of you, the public, about fracking. Okay. So here is the statement.

(Applause.)

MS. SUPOWITZ: Recent reports on experiments with mice have given wide publicity to a theory that cigarette smoking is in some way linked with lung cancer in human beings. Although conducted by doctors of

professional standing, these experiments are not regarded as conclusive in the field of cancer research. However, we do not believe that any serious medical research, even though its results are inconclusive, should be disregarded or lightly dismissed. At the same time, we feel it is in the public interest to call attention to the fact that eminent doctors and research scientists have publicly questioned the claimed significance of these experiments.

Distinguished authorities point out --- I've got another page and a half, but I will say, you folks have this. Please read it. Vote no to fracking under Deer Lakes Park. Vote no to possible fires, spills, leaks and explosions in the communities surrounding the park. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Alexander, what is it, Haak, Haak (changes pronunciation). Is he here? No, evidently not. How about Stephanie Ulmer?

MS. ULMER: Yes, right here. I'm Stephanie Ulmer. I live at 427 Elmer Street, in Edgewood. At the public meeting at Deer Lakes High School, I heard over and over the same two arguments, for leasing land to Range Resources and Huntley and Huntley. The first argument was that the only way the county could impose some common sense practices on the gas companies, practices such as monitoring the water quality in Deer Lakes Park during gas extraction, for example, the only way the county could possibly gain this ability, is by signing a lease with Range and Huntley. To me, this just sounds like Allegheny County must be wholly owned and controlled by the gas industry.

If it is really true that the only way we can regulate gas company behavior in our county is by leasing to them, then we should not be doing business with them at all. The gas companies clearly have no interest in voluntarily using the highest possible safety standards. Why should we allow them to degrade the resources upon which all our lives depend? The second argument maintained that leasing county land to Range and Huntley would allow the county to not raise taxes. But if Allegheny County became a more desirable place to live, people would flock here. They would start families here. Our tax base would grow.

We already have a temperate climate, abundant water, a whole range of educational and research

institutions and a variety of start ups, most of which do not depend on gas drilling for their existence and do not see fracking as enhancing either their quality of life or their business opportunities. We have many recreational and tourism-related businesses as well, and a healthy farm-to-table movement. Gas drilling will depress these economies, not help them grow. Ten years from now, as the effects of global warming become yet more evident, our clean air, water and parks, assuming we protect them, of course, will be even more in demand. If we respect our shared environment, Allegheny County will have an economy that is vibrant and diverse. On the other hand, if we continue to encourage drilling for natural gas, ten years from now we will be stuck with a network of aging, abandoned wells that slowly but surely release their pollutants into our water and air. As the number of gas wells grow and with it the accompanying traffic, noise, crime, ill health and unbreathable air, and as clean water becomes increasingly scarce as the result of widespread fracking, any young person with either a bit of education or ingenuity will leave. And once the gas industry has sucked our gas reserves dry, they will leave, too.

We are currently making ourselves progressively dependent for jobs and revenue on a highly polluting, dangerous and deliberately deceitful industry. County Council, I'm asking you instead to do everything in your power to bring our county's economy into the 21st century by encouraging the growth of green energy and other sustainable businesses and by protecting and preserving our natural resources. Please do not allow our parks to be fracked. They are much too valuable.

(Applause.)

PRESIDENT DEFAZIO: Eva (sic) Goodman?

MS. GOODMAN: My name is Eve Goodman. I live at 1336 Cordova Road in Highland Park. I recently moved from Wilkinsburg where I finished two years of a four-year term as a borough council member. I understand the frustrations when listening to constituents' legitimate concerns about abandoned houses not being torn down, streets going unpaved, the need for more funding of public education, public transportation, the need for more police protection, and so on; and knowing that your government has limited funds that cannot begin to fix all these problems. The art of political triage occurs and it tends not to make anyone happy.

However, I urge you not to be seduced by the all too prevalent natural gas pro-fracking advertisements inundating our media, even appearing as underwriting messages on our local public radio and television stations. The message that natural gas and this somewhat new method of extracting it from the earth is the answer to both our energy and economic ills, is too good to be true, because it is not true. The fact is, whether you choose to believe it or not, the procedure uses hundreds of thousands of gallons of clean water daily in the extraction process that produces an inordinate amount of toxic waste, polluting our clean waterways and air and, by extension, contributing to many health problems, from cancer to serious respiratory problems, to those families living near these fracking sites. Giving the green light to fracking in our county parks is being a penny wise and a pound foolish. We may get \$1,000,000 --- a few million dollars each year for 20 years, but down the road, will this same money even be a drop in the bucket to pay for the cleanup? That's assuming the mess can even be cleaned up. Will the landowner quoted in the recent Post-Gazette article so intent on, quote, getting into the game, when this is the game in southwestern Pennsylvania, end quote, be as enthusiastic about the game when they need to start hauling clean and safe drinking and bathing water onto their property because their water source has been destroyed by fracking?

Will the same gas companies so intent on fracking be there to clean up their mess? The claims that these gas companies will self-regulate is more than absurd, it's insulting. Is it sensible that we keep on fracking because, hey, it's already being done in the area? Let's keep doing it. Let's turn a blind eye to the documented ways in which it has already decreased landowners' property values. What will happen to this devalued land that cannot be sold and most likely will be abandoned, because who wants to or can afford to pay taxes on a worthless piece of land? Please do not be seduced by these messages. For the physical health of your children and for the economic health of the region, please say no to fracking in the county parks. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thaddeus Popovich?

MR. POPOVICH: I'll take the Protect our Parks sign back. I got him just for a moment, huh? That would

have been a great photo op. Okay. My name is Thaddeus Popovich and I live in the Borough of Ben Avon, 6606 Virginia Avenue, Pittsburgh, PA, 15202. And I'm going to deviate from my comments for a moment and talk about my engineering degree. My engineering degree came from Case Western Reserve University. I almost went to CMU, but I studied from two physics books written by the esteemed Professors Resnick and Halliday from the University of Pittsburgh. So my physics learning was different than Mr. Fitzgerald's, so I believe that methane will rise to the top and will potentially pollute our lakes. Enough said. Okay. I am here this evening as a Friend of North Park. And this may sound familiar to some of you who were at Deer Lakes High School. Okay? I've abbreviated it because I'm getting worn out. Okay. Here we go. That makes me a friend of all nine county parks in Allegheny County. I'll go a step further and say that I own the parks, including Deer Lakes Park, along with all of the taxpaying citizens of Allegheny County. The mission of the Allegheny County Parks is to enhance the quality of life and well being of Allegheny County residents through a regional parks system. That comes from the website. If that is true, why are we even here tonight to hear about a proposal that will turn Deer Lakes Park, and ultimately the other county parks, into commercial generators of cash, while potentially harming the park environments below and above the ground?

Why do I think the other county parks are vulnerable? To Chelsa Wagner's point, because last year Rich Fitzgerald said, in addition to Deer Lakes Park, drilling companies are leasing land near other county parks. And these include Boyce, Harrison Hills, White Oak, Round Hill and Settler's Cabin. So if the same situation applies as in Deer Lakes Park, why wouldn't it have happened in these other parks? We'll just drill right under the parks. Late last year, Rich Fitzgerald spoke briefly at a public meeting in North Park and surprised the audience with saying there will be no fracking in North Park. I queried some of the attendees. Most everyone said they were against fracking in North Park.

Someone else said, well, but not in North Park. And I said why wouldn't it happen in North Park? And he said because there are a lot of lawyers who live around North Park who would stop fracking from happening. Okay?

And so another was outraged that Rich Fitzgerald was pushing the idea of fracking in Deer Lakes Park because it was dangerous. A common citizen said this. She felt it would set a precedent for all the parks. Go figure. Okay? So the message is clear, both from Rich Fitzgerald and those who know him, no county park is off limits. If Deer Lakes Park goes, all the parks go. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Bernie Roberts?

MR. ROBERTS: Good evening. My name is Bernie Fischlowitz-Roberts, and I live at 5728 Elwood Street, Apartment 6, in Pittsburgh. The issue that we're discussing this evening is not just an economic issue and not just an environmental issue, but on a really fundamental level, I believe is a moral issue, and that is, how do you care for areas in our county that are designed for the enjoyment of all? And how can we protect those places from companies whose desire for profit at any cost endangers the air and the water that are essential to all life? Earlier today, I noted two press releases on Allegheny County's website. One noted this proposed legislation under discussion for fracking under Deer Lakes Park having been sent to the Council. Right below that, another release announced that the County Health Department is sponsoring a conference on the public health impacts of climate change to be held on May 19th at the University of Pittsburgh.

The irony of that juxtaposition should not escape anyone concerned about these issues and points to the need to think about the broader context of this rush to drill in county parks. The world's top climate scientists tell us unequivocally that humanity has a very short window of time to prevent climate change from spiraling out of control. At least 75 to 80 percent of known fossil fuel reserves --- that's coal, oil and natural gas --- must remain in the ground and out of world markets to give us a fighting chance of averting climate catastrophe.

(Applause.)

MR. ROBERTS: So any plan that results in more gas drilling, especially this proposal to frack under Deer Lakes Park, will inevitably increase emissions of greenhouse gases at a time when the need to reduce those emissions is both an economic necessity and a moral imperative. Some drilling proponents like to talk about

job creation, but if we are serious about creating good-paying family wage jobs that are sustainable over the long term, rather than fracking under our parks, I would suggest Council should be looking at the tremendous opportunities to increase energy efficiency of our buildings, and working with your counterparts on the local, state and federal levels to promote continued expansion of clean renewable energy sources like solar and wind, which generate significantly more jobs per unit of energy generated than do fossil fuels.

(Applause.)

MR. ROBERTS: Retrofitting existing homes, as well as commercial buildings, yields significant energy savings, reduces pollution and is work that cannot be outsourced. So I urge the Council to reject this attempt to drill in our parks and instead work on constructive win-win solutions to the economic and environmental challenges that we face in this county. Thank you very much for the opportunity to speak with you.

(Applause.)

PRESIDENT DEFAZIO: Victor DePasse? Is Victor here? No?. Tom Hoffman?

MR. HOFFMAN: Okay. Can you hear me?

PRESIDENT DEFAZIO: Yes.

MR. HOFFMAN: My name is Tom Hoffman. I live on Willard Street in Point Breeze. I'm the Western Pennsylvania Director for Clean Water Action. Our organization has been around for 40 years. We have about 1.4 million members nationally, 150,000 in PA, and about 50,000 in western Pennsylvania. One of the first things we ever did as an organization was help press the Clean Water Act. So I would like to say we were, like, sort of, personally affronted that fracking got exempted from the Clean Water Act. Thank you to Mr. Cheney.

(Applause.)

MR. HOFFMAN: We're --- as an organization, we're opposed to fracking under our parks. And I just got this e-mail today that told me that --- come on, Tom, where is it? There it is, that one of our --- Pittsburgh's favorite sons is also against fracking. This is a quote from Andy Warhol. I think having land and not ruining it is the most beautiful art that anybody could ever want to own.

(Applause.)

MR. HOFFMAN: So our organization is one of those job creators that you hear so much about on TV. We have a staff of people that go out every night and talk to people at their homes. And one of the things that they do is they ask people to write letters to elected people such as yourself about those issues. And if you're a canvasser, if you're one of our staff people, and you get lots of people to write letters and you bring them back, you get a big round of applause the next day at our crew time. And we've been in Mr. Futules' district and Mr. Ellenbogen's district, Ms. Means' district and Mr. Palmiere's district, but ---. And we've collected hundreds of letters. And no matter where we go, it's like --- it's the same deal.

People get it in a heartbeat. Parks and fracking don't mix. They write lots of letters and the canvassers love it because they get a lot of applause the next day. And I know this isn't really a partisan issue, but I did want to point out one thing. I know that the state Democratic folks are using the issue of fracking under our state parks as one of the issues in their campaign to replace Governor Corbett. And that's no accident. They've spent a lot of money on polls, and they know that's a very popular issue. So I just think it's ironic that here in Allegheny County we're willing to sell out our parks. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Harvey Holtz? Is Harvey Holtz here? Okay. What we're going to do, we're going to take a 15-minute break everybody, and you can change your paper, et cetera, et cetera, et cetera. So let's take a break, and we'll come back in about 15 minutes. Thank you.

(Short break taken.)

MS. MARCUCCI: My name is Lisa Graves-Marcucci. I live at 370 Temona Drive in Pleasant Hills. Facts. You must consider all the facts in order to do your due diligence and ensure the safety of our health. However, I don't believe this body has considered all the facts because, unfortunately, full disclosure is not required of oil and gas companies. The oil and gas industry is exempted from the federal requirements of the Toxic Release Inventory, also known as TRI, and it's part of the Community Right to Know law, established in 1986. TRI requires annual reporting of all toxic releases to air,

land and water for industrial facilities; oh, but not that oil and gas industry.

They have a sweetheart deal. Without a full accounting of all the toxic releases from the oil and gas industry, communities and their elected officials are not told exactly what they are being exposed to and lawmakers are not afforded the opportunity to objectively evaluate those risks. Without TRI reporting from drillers, there are no cumulative impact calculations for multiple portions of their operations, which there are, and there is no reporting or calculations for operations in adjoining communities. So you can have condenser units and all sorts of fracking going on side by side, but no one measures the cumulative impacts to either or all communities.

And most importantly --- and please, if you hear nothing else from me tonight, please hear this. Without TRI, complete --- companies like Range can commit sins of omission, and they falsely claim that there is no risk of harm. But I want you to understand the difference. They are not required to report the risks of harms. That does not mean that the harm doesn't exist. We're being told, trust us, we're good neighbors. And the PA DEP wouldn't approve permits if the operations weren't safe. A quick perusal of local newspapers this week say otherwise. Reports have indicated transcripts of legal depositions of PA officials --- PA DEP officials admitting that full disclosure of water pollution from drilling damages, including damages caused by Range, have been withheld from the public. And as the Pittsburgh Post-Gazette's editorial put it, quote, DEP must tell the full story on drilling impacts, end quote. I couldn't agree more. We are all being sold a bill of drilling goods, promises of lots of money and jobs. But in the wake of those operations, some communities have been left with a trail of harm and pollution and little to no protections from the very elected --- or the very state officials who were sworn to uphold the laws, the Pennsylvania DEP.

Please do not put us at risk. There are too many missing facts, and I urge a no vote on this and all drilling opportunities, particularly on our public lands. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Lester Ludwig? Lester?

MR. LUDWIG: For your consideration, my name is Les Ludwig. I live at 6589 Rosemoor Street, in Squirrel Hill. And I've been a food technologist or a food chemist in my lifetime. Take a look at what's really happening. Take a look at the picture of a truck hauling the waste away and opening the valve and draining it out onto the ground. And it's not the only one. There are people in the Pennsylvania State Department that controls these things that have reported to me in a recent conversation, that a man who is in this business of hauling, pulls his truck regularly onto a bridge that is over a free-flowing creek and drains the tank whenever he can get away with it.

That's what we're fighting. Well, here --- I didn't have enough copies --- the Merton Center newspaper. And it says, fracking, the zombie apocalypse. Maybe I'm pronouncing it wrong. But at any rate, let's read. I gave each of the members of Council a copy, why, and I folded it. You don't even have to turn the page. Ruining millions of gallons of good, clean water with carcinogenic chemicals is crazy. We already have a shortage of water in many parts of our nation. Poisoning our aquifers, devaluing our land and our homes is crazy. When government officials who are elected to serve and protect the people and the land make mindless decisions out of the hunger for money --- that's not what we pay them for. Those men and women of this Council and any other governmental council are duty bound to protect us, not to turn their head because of a dollar. Well, what should I say to you in closing, because we're getting close to the vote. I have eight grandchildren, and thank God they don't live in southwestern Pennsylvania. But that doesn't mean that our world, according to our president, is suffering from, as a gentleman earlier said, the gentleman in the blue shirt there said that the entire world is suffering from this problem of heating up, and it's going to get worse if we keep on doing exactly what we have a chance to vote on. No. Say no. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Paul Gitnik?

MR. GITNIK: Good evening. My name is Paul Gitnik, and I live at 1411 Grandview Avenue, in the 19th Ward of the City of Pittsburgh. Mr. President and members of County Council, I want to thank you for affording me the opportunity to speak on the proposed non-surface

extraction of natural gas at Deer Lakes Park. I am the founder and president of ShaleEnergyUSA.com, Inc., a neutral, web-based application that has gathered lease data, unit data, permit data and well data, into a common data warehouse where the data can be analyzed. From a purely data viewpoint to the end of 2013, we have approximately 2,679 leases in the County of Allegheny.

Of those 2,679 leases, only 77 leases have gas royalty percentages of 18 percent. No leases to date that I am aware in Allegheny County, have exceeded the 18 percent --- in excess of the 18. In the County of Washington, which has approximately 15,369 leases, the County of Washington has 1,708 leases with 18 percent gas royalty percentage. And it only has four leases with gas royalty percentages ranging from 18.5 percent to 20 percent. In our database, we not only capture the actual recorded document but imputed 90 data points of said documents. The proposed non-surface oil and gas lease for the Deer Lakes Park contains significant favorable terms and conditions.

And when I say that, I'm not saying it's neutral. But compared to the leases in the database and the leases in the universe, it does have significant favorable provisions that other individuals, private landowners and even public landowners did not get in the terms and conditions of their lease. So therefore --- and when I --- last in conclusion, I would like to offer you and the staff free access to the ShaleEnergyUSA.com web application, so that you can view and look at the leases and the data points of all 2,679 leases in the County of Allegheny and the 110,250 leases that are in the database. Thank you. All you have to do is --- I don't have a problem with that. I'll give you my telephone number. It is 412-355-2622, and you or the staff can give me a call. We'll sign you up. And the point of my conversation tonight was --- is that if you're going to look at this, you should be able to see the entire universe. And this is what the operators and producers have at their fingertips. But it actually took a great deal of effort to put us in parody, so that you can actually look at the leases and the data points, including the unit --- production units, where they are, how they're producing, as well as what they're producing in royalty. So you can verify whether their projected royalty payments are accurate, because of the fact that you can look at these

wells that are producing today and see what they're getting paid in production. Thanks.

PRESIDENT DEFAZIO: Thank you. Molly Nichols?

MS. NICHOLS: Good evening, everyone. I'm Molly Nichols. I live at 414 Pearl Street in Pittsburgh. I moved to Pittsburgh eight years ago, and one of my favorite things about the city, something I always share with people when they ask me about my experience here, is that I can wake up in Bloomfield, get on my bike and within 30 minutes to an hour, be in a beautiful green space like Hartwood Acres. As soon as the weather gets nice, my regular biking buddy and I take this challenging rewarding ride through the spring, summer and fall; take a break in the middle of the beautiful bike trails, lie in the grass, look up at the trees, watch the deer. I also love to hike, kayak and swim in county parks with my sisters, nieces and nephews, including going to the spray park at Deer Lakes.

As a volunteer with the mentoring program, Big Brothers, Big Sisters, I have an honorary little sister. We love to go on outings in these beautiful public places. Cora, who grew up in the East Hills, had never been sledding before. For her 13th birthday, we went to Boyce Park, and it was wonderful to see the smile on her face as she flew down the hill. We've also kayaked in North Park. We've hiked in Hartwood Acres. We love to spend this time together outdoors, giving us an opportunity to talk, get exercise, marvel in the beauty of the changing seasons and our countryside. We cannot allow these public spaces to be fracked. We cannot allow them to be surrounded by dangerous industrialized zones full of pollution and threats to the health of our environment and ourselves. Countless studies have shown the damaging effects of fracking, from air pollution to water contamination, including radiation in drinking water, to endless truck traffic noise, high risk of accidents. Allowing Deer Lakes to be fracked opens the door for all the county parks to be fracked. Are my biking buddy and I are going to share the road with the massive fracking trucks hauling chemicals and wastewater?

Consider all the damage that the trucks will cause on the roads. Getting up those hills is hard enough. Now my lungs would be breathing in this additional air pollution. How can I safely bring my little sister or my nieces and nephews if the water in the

parks is contaminated, the air polluted? What about the risks of accidents, spills, fires, explosions? And this doesn't just affect the people who want to visit and play in these parks. Deer Lakes Park has tributaries that feed into the Allegheny River, which provides the city's water supply. You cannot filter out radiation that comes from fracking. Pittsburgh prides itself, and Allegheny County, on being innovative, up and coming, one of the best places in the country. How can the region attract people when some of its most beautiful spaces are being fracked and polluted and filled with truck traffic?

This doesn't have to be our future. We do not have to be defined by the shale gas that sits underneath us. We are dealing with the poverty of the imagination. Why not consider the ways this region can be a model for truly green or renewable energy? Where are solar panels in our windmills, which can create safe, good jobs for workers. We can't throw ourselves into this dangerous fossil fuel extraction with the hopes of making a buck, when it comes at the expense of the health of our environment, our air, our water, ourselves. County Council, I ask you today to listen to the voices of the public you were elected to represent. Do not let them frack our parks. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Reginald Good?

MR. GOOD: Good evening. Thanks a lot for the County Council for inviting me up to speak. My name is Reginald Good. I'm the partner and I'm also the director of operations for the Mentors Community Wealth Building Initiative. I've been working with development for the past eight years. I'm responsible for putting in the process that creates the over-21 jobs a year with HR, in getting their job descriptions and also for putting the training --- trainings around that job description, so we can present the best product to the companies. A few years ago I met my partner, Kris Kirk. We talked about some of the safety certification gas and oil trainings. We did a --- our first four pilot classes we had 44 --- 44 guys in there, we placed 39 in the industry.

And to date, the total salaries are \$2.3 million. Today I heard a lot of passionate people from the community, and I understand and I respect your motivation of coming in, stating on --- stating different things that have happened. But first, I want to tell some

of the factual information. I like to see factual information in front of me so if someone got sick or if someone had cancer or something like that. I've done the due diligence through the guys that work --- I visited the site. Our supportive services were really great to the 39 guys because I was up most of the night listening to them on the phone, where they were at, how the job was going, how everything was going.

And I got some good feedback. I got a lot of good feedback. But some of the feedback, like that I heard today about the water and things of that nature, I wanted to see the factual information on how that implemented in the community or how that affected the community, and I can have a better understanding of that. This is our fourth year coming in. I deal with 15 companies. I got a process with 15 companies. I know the law, so if --- anything that was done is wrong by a company or one of our classmates, we would review the file and we'd go see that company or make sure that we understand the company regulations and most importantly the job descriptions before we sell them the guys doing the job.

Now I'm here today just to --- I came down to the meeting just to get a better understanding of the Deer Lakes. I understand that the American way of life is the parks, and everyone living in the parks. I solely understand that. But any results, I would like to know the factual information about the effects of that on a factual basis through instances, not what people are saying or just one truck driving down the road spilling water. Now I looked at --- I hired a lot of different --- different industries. I've seen accidents happen in a lot of different industries. I've had guys that, just doing what they're doing, got their hand cut off. I've heard a lot of different things. Even with the ALCOSAN, when you look at that, they dumped the pollution into the Allegheny River. So before we start to address situations in the shale industry, make sure that we got factual information. And make sure you do that. It would be nice if we did it as a whole industry so that we --- so if we do implement safety regulations it could be regarded through the whole industry.

Lastly, it was pointed out, this is just drilling. That's all I have to say today. I thank you for the time. Have a great night.

(Applause.)

PRESIDENT DEFAZIO: Kristine Kirk?

MS. KIRK: Good evening. Thank you so much for having this tonight, and I appreciate everybody's comments. My name is Kristine Kirk, and I reside in Harmar, and my business is located in the Hill District. I am pro shale. I believe that this industry is here to provide wonderful opportunities for all of us. I'm curious about the numbers in the leasing and the percentage of royalties. I'm sure everybody is aware right now that the natural gas prices are very, very, very low, so many of these wells are capped now, so gas is not flowing out of them. So royalties probably are not --- are not available. So I did want to make that comment.

But I was raised in Pittsburgh and like I mentioned, I am a resident of Allegheny County. And I've been an entrepreneur since 1994 in workforce development, always in the private sector. And when this opportunity came up, it gave me a dream come true, and that is to become a social entrepreneur. When I looked into the industry, it was very striking to me to realize that we have --- as a city have supported this industry for many, many years, dating all the way back to when George Westinghouse had drills in his back yard in Homewood, Pennsylvania.

And now, today, because of the improved technology, we are able to change lives in Homewood. My partner was just in front of me, and he mentioned our pilot program. We did research partnered with a company that had already trained and placed over 400 people in this industry in the Washington County area. And so we have a curriculum that the industry recognizes, and we've had success. We have a 90-percent placement rate. We started with African-American men, and the reason for that is because of my relationship with the Pennsylvania Legislative black caucus; specifically, Representative Jake Wheatley and Peter Speaks, who is special counsel to Senator Hughes.

I mention that because there is bad news, too, and that is that the industry is not diverse at all. If anybody tells you it is, please contact the American Petroleum Institute. They have acknowledged they are not diverse and pretty much said there's not too much they're going to do about it. That's very upsetting, because Act 13 does have language in there, and the industry is

supposed to be paying attention to this and they're not. People are not interested in what I'm trying to sell in the industry, and it's very upsetting because we are scholarship based and we are changing lives in low income communities.

We've placed people in the Hill District, in Wilksburg, in Penn Hills and in Monroeville. And I would appreciate it, if you would put some pressure on the industry to make sure that jobs are available for everyone. Thank you very much for your time.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: Charles Peterson? Peterson? Wanda, what is it, Guthrie?

MS. GUTHRIE: Hi. My name is Wanda Guthrie. I live at 5815 Hays Street, 15206, East Liberty. I've given some cards to the clerk that were written by the county meeting yester --- Sunday, to express their concern over this leasing. While I was preparing to come today, I started an article for the new people, the Thomas Merton Center newspaper. It's about Apollo, Apollo, PA, just one of the places where nuclear waste is still an unremediated problem. You may recall this because it's been back in the news again. In a 44-acre field, atomic waste from the production of fuel for submarines and other customers was buried in drums and it has been hard to find those who would take responsibility.

The cleanup stopped abruptly a while ago, and it's been a 25-year-old problem with a one woman nuclear crusader. Good for her. She hounded government until Congress passed a law requiring a cleanup. Now the U.S. government has released a report that this is just one of quite a few contaminated places in Pennsylvania that they need to clean. And so here we are. You know the dangers of drilling gone wrong, and I suspect you know that any drilling that occurs outside the parks should be at least, at the very least, two miles away. In fact, I suspect you know that this process is so experimental that it should not be allowed in Pennsylvania at all.

(Applause.)

I also suspect that you know that when the Pennsylvania courts start to hear from citizens whose constitutional right to clean air, water and soil is disregarded by local and county administrators, you will have to be prepared to answer for a really long time. We

all know that that will take a long, long time, and we know who has the money to continue the litigation. In fact, it is questionable whether citizens can continue to fight this, but quite a few of us will.

Time and again, citizens have told you that county parks are public land. They belong to the citizens of Allegheny County. No part of that should be used or leased for any corporation's private gain. Methane, the common byproduct from leaky gas wells and pipelines, is leaking, has been leaking and is widespread. They are in need of remediation. There really are no climate benefits for natural gas, and the process is making it dirtier than coal.

This industry really doesn't want tied in regulation, and so the biggest pitfall of all of this is that you may be part of it. And if you're willing to make a decision for the citizens of Allegheny County, these are really simple questions. Consider the answers well. Say no. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Gerald Schiller?

MR. SCHILLER: Gerald Schiller, Penn Hills, Verona. As some of you may recall, my son and I commented on the Deer Lakes lease at the high school last week. Based on the reaction we received, I don't think many people, including Council, have thought about the severance tax time bomb that was written into this lease. As a result, my son sent letters to the Post-Gazette, Tribune Review, which I'm pretty sure are going to be printed. Copies were also sent to the Governor, all the Democratic candidates for governor and the Council. I don't know whether all the Council members received this, but I'm going to leave a copy with you. We want to thank Mr. Futules for his reply to my son's e-mail and the remark he said, that he sees our point.

However, we disagree when Mr. Futules says there's nothing anybody can do about it. I'd like to read the note my --- the e-mail my son sent to Mr. Futules. Thanks for replying, Mr. Futules. Do not understand me. I am definitely in favor of drilling under the park to generate revenue for the county, but I object to Allegheny County setting a precedent or legitimatizing a severance tax in the lease.

The county should leave reference to a severance tax out of the lease, and if a severance tax is ever

enacted, the county should object as a matter of principle, if and when the driller makes such a deduction. The Democrats on Council should also send a message to all the Democratic candidates for governor that any severance tax should that they're clamoring for should be legally re-worded so it construes only as a cost of production or completion of a well, not post-production costs that fall on the county and by extension to all the landowners and lessors. The impact tax. Governor Corbett did this with the impact tax. And I'm sure the attorneys do the same thing.

In light of the Supreme Court ruling that unconscionably favored the drilling companies and screwed over farmers/lessors, a further five or ten percent reduction in royalties is outrageous. The severance tax is going to be deducted from the county's royalties. People do not understand that. The reaction I got from the people at the high school, they looked at me like I was from the moon. They didn't know what I was talking about. And I don't think you know it's written in the lease. Your deductions are going to be down five or ten percent. Your royalties are going to be reduced. You're not going to get the return you think you're getting. Read the lease and understand it.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: Lois Drumheller?

MS. DRUMHELLER: Can you hear me? Thank you. Lois Drumheller. I'm a respiratory therapist and asthma educator. I live in Monroeville and, prior to that, in San Antonio, Texas. Last week eight members of Congress sent a letter to the Administrator of the EPA, Gina McCarthy. She was asked to reopen investigations into water contamination in three states, Pavilion, Wyoming, Dimock, Pennsylvania and Parker County, Texas. This finally came after the EPA later showed data that they were misguided in closing the investigations called off between 2012 and 2013, before the agency determined for sure what had caused each region's contamination.

Congress reminded the EPA that it was their role to hold states accountable and guarantee baseline protection for the American public and shared environment. Earlier, the EPA had closed an investigation into contamination in Dimock, Pennsylvania, which is the town that was featured in the documentary Gasland. The EPA had

determined that contamination levels were below the federal safety standards. But in 2013, a leaked document from the EPA reported that fracking had caused significant damage to drinking water aquifers in Dimock. It also said that the damages to aquifers can sometimes be repaired in less than a year, but sometimes the aquifers take more than three years to recover.

If that wasn't alarming enough, consider that in 2012, the EPA dropped its claim that Range Resources Corporation had contaminated drinking water in Parker County, Texas. But just like Dimock, one year later, a published report by an EPA Inspector General said the agency had been right to investigate possible causes of water contamination in Parker County. When an independent water test was performed from Duke University, it revealed residents' drinking water was still contaminated, even when the EPA determined it was safe, because the earlier date relied on faulty industry testing by Range Resources.

It makes little sense that community health or any right to clean air or water, would be met by relying on what this industry has repeatedly failed to do or should do, verify safe what they helped contaminate. However, on June 20, '13, the Pavilion, Wyoming investigation was, in fact, turned over to the State of Wyoming, a pass off that meant the investigation would be furthermore funded by Encana, the drilling company whose natural gas wells may have been the ones responsible for contamination. A recognizable pattern should be troubling all of us, when water and air are altered by the oil and gas industries who demonstrate failed quality control over and over. One, scientific investigations post-fracking are not enough to ensure that the public is getting full explanation. Two, until a full explanation is obtained in a standardized manner, no clean air and water can be guaranteed out of a fracking operation. And three, no decision to drill should be considered under any public land by industries with this track record. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Oliver Drumheller?

MR. DRUMHELLER: Oliver J. Drumheller, Monroeville. I'm exploring one of the areas that's been touched on a couple of times, but does require some additional information. I had my staff run a basic Google search on fracking and seismic activity and earthquakes. The staff came back with the fact that there's strong

evidence or at least a correlation between fracking and earthquakes. This is borne out not only with the injection --- initial injection of the fracking fluids with the chemicals to get the gas out, but also when we put that water back into the ground for storage; real problem.

The seismic activity I'm talking about is earthquakes. Right after high school, I spent some time in California. I experienced two earthquakes, so I know what earthquakes feel like. August 23, 2011, here in Pittsburgh, we felt an earthquake that was in Virginia, a 5.8 outside of Richmond. I can tell you, I was on the 21st floor of a high rise downtown, about two blocks from here. And I could feel it swaying, and I knew exactly what it was. And an engineer down a few cubes down from me knew what it was and you know what he did? He went right to the elevator and went down and went back to Pasadena; okay? So that's what happened there.

Let me ask you this; okay? Deer Lakes --- the proposal says you're going to drill hydraulic --- you know, fracture underneath Deer Lakes Park, and it's not going to damage the park. Really? Is that right? If you've ever been through an earthquake, you know that that is untrue. Do you want to place the park, its water, all the inhabitants, including the flora and fauna under that type of duress? This is public land. This is for us to use, not for the drilling companies to frack, get their short-term profits, send the gas overseas mostly because, you know, that's where the prices are higher, and also to leave us to clean up the mess, which is long term. It doesn't go away. Where does this take place? There is documented evidence of this fracking causing earthquakes in Oklahoma, Canada, British Columbia, the mid-continent of the United States, Texas, Ohio and in Europe. So please let me close by saying, do you want to drink the fracking fluid and the other materials that are going to be coming back out and going into the air, including methane? Do you want your family and children to do that? I would hope the answer is no, as would your answer to voting to have fracking underneath this park. It's going --- it's got the possibility of destroying the park and everything in it. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Judith Ruszkowski --- Ruszkowski (changes pronunciation)?

MS. RUSZKOWSKI: Good evening. My name is Judy Ruszkowski. I reside at 6465 Jackson Street in Pittsburgh. And I'm here today to ask that you vote no on fracking at Deer Lakes Park. I am concerned about the environmental impact of fracking on our water and air. I am not convinced that it is a safe process. I attended last Wednesday's county meeting at Deer Lakes High School. Although I thought it was advertised as a public meeting, the front-loaded lineup of pro-fracking speakers was evident. Not only did we have to hear from industry spokesmen, but also from officials who did not even reside in Allegheny County.

When the true public was allowed to speak, it was clear that many of us have concerns about fracking our public resources, as I think is evident to you this evening. There were two pro-fracking arguments made by the administration that evening. The first was, fracking is happening anyway all around us, and we may as well cash in. This position completely negates a sound and reasoned examination of the pros and cons of fracking on public lands. These lands are held in trust by the government for a common good, our good, a good that I believe does not condone economic exploitation.

The second argument made was that the lease would provide a model for environmental monitoring. Although this might be true for the fracking at the park, it does not constrain fracking procedures in the county that occur on private property. Water and air pollutants are not constrained by lines on a map. And if these new environmental safeguards that the lease will provide are so important, why aren't our county officials out lobbying the state to improve regulatory oversight of the industry? The Southwest Pennsylvania Environmental Health Project, a project of health and research professionals, states, quote, that the current methods of emission data collection and analysis fail to accurately assess health risks. They have treated health symptoms temporally associated with gas drilling activities that include skin rash or irritation, nausea or vomiting, abdominal pain, breathing difficulties, cough and nosebleeds. These were common symptoms experienced by individuals and families that were not in evidence prior to gas drilling in those families' vicinity.

The Environmental Health Project issues a fact sheet about three good things to do if you live near gas

drilling, and I have copies for each of you. It lists things like stop drinking your water; and my personal favorite, before you let your pets into your house, wipe off their paws and fur before they come inside. Is this the kind advice that we want to offer Allegheny County residents? I urge you to vote no on fracking in Deer Lake Park.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Robert Buncher?

MR. BUNCHER: Robert Buncher, 1605 Beechwood Boulevard, Pittsburgh. Hydraulic fracturing is a serious source of pollution.

(Microphone adjusted.)

MR. BUNCHER: Hydraulic fracturing is a serious source of pollution, not just to the air and water, but it can the destroy the water table. Anyone arguing to the contrary is just being disingenuous. So you may ask, why is fracking allowed? Why is it flourishing in Pennsylvania? Of course, the answer is money, specifically the profits of the energy corporations, a percentage of which is passed to the campaign funds of politicians. Here in Pennsylvania, the state government is crippled due to the Department of Environmental Protection, so that it no longer performs its intended function, but services as to the energy company.

Some energy profits are spent on bogus think tanks that produce studies claiming the safety of fracking or off-shore drilling or the generally benign quality of burning fossil fuels. These same think tanks deny the existence of climate change and as has been noted, it's pretty much the same way the tobacco companies operated regarding cancer. The world is at a tipping point regarding the use of fossil fuels versus the habitability of the earth. Those who profit from the sale of fossil fuels and their lackeys stand in opposition to sustainable energy and the future of mankind. If we had a true democracy, the will of the people would prevail. If we had a true democracy, when an honest man had a shot at running for office, then maybe the future of mankind could stand a chance to get the profits of large corporations. Oddly enough, it is at the local level where democracy has a chance, not far away in Washington, DC or Harrisburg, but right here in this room. You members of Council will, in a short time, choose between the short-term gain, for a few million dollars for the county and massive profits for

the corporation, versus the health and welfare of the citizens of Allegheny County for generations to come. And you will be making the choice of what kind of government we have when you make this decision.

You can choose a form of government of, by and for the people. You Honorable Councilmen and Councilwomen could stand up for the earth. You could eschew this temptation of money. You could side with the corporations or you could side with the people. And it's your choice to decide what type of government and what future we have here in Allegheny County. It's up to you.

(Applause.)

PRESIDENT DEFAZIO: Jason McCullough?

MR. MCCULLOUGH: Hello. My name is Jason McCullough and I'm a resident of the Point Breeze neighborhood of Pittsburgh. I have come here to ask you to vote against signing the 8182 ordinance against authorizing --- well, you know what that is. But I'm also here to inform you that if you do lease this public land, I will be sending Allegheny County an invoice once drilling begins. The facts found by independent studies; most frack well casings fail over time; 67 percent immediately, 60 percent over 30 years. Likely all do, eventually. Even without well failures, frack fluids can migrate to aquifers within a few years, permanently poisoning the water table.

Frack gas is the second worst fuel for climate change. There is some debate as to whether it may even supersede coal as number one. You aren't set up to find the failures of this drilling. Pennsylvania only has 76 inspectors to cover 3,000 new wells drilled every year. Your lease agreement, the one under consideration, fails to force Range to include tracing fluids in the drilling and extraction procedures. You know they are liars and have a poor performance record. I personally have sent each of you multiple proven instances of that, yet you have failed to put the safeguard in place anyway. To me, this shifts the burden of proof onto you to prove that the fracking did not poison the water I use. It is no longer up to me to prove that it did. This is because if you do sign this lease, you'll have consciously removed the primary means of doing so. Drilling into this land will permanently poison Little Deer Creek. Independent studies on existing wells show this will eventually come true. Little Deer Creek flows into the Allegheny River barely

more than four miles upstream from where PWSA extracts the water that I drink.

The fracking pollution, the bromides and radioactive materials, cannot be filtered out. Even when PWSA is forced to switch from chlorine to chloramine, this will remain the case. Therefore, it is known that this drilling will poison the water that comes out of my faucets at my home. The cost and inconvenience and waste of moving fully to bottled water is expensive, contracting cancer, a neurological or other disease even more so. I refuse to subsidize this drilling with the money, deteriorating health and lives of myself and my young children. So I will send you an invoice that will take into account the amount of drilled wells and the percent this makes of the cost it will take to protect myself and my children from both the poison and degradation of the environment.

The invoice will not be for the full damages as I will also be invoicing Range Resources and each individual private lessor. I'll tell you how I'm doing this homework of invoicing the costs, collection methods and sharing this with others. I expect hundreds, and I hope thousands, to join me in doing the same. However, I will continue to do it, even if I am alone. The combined invoices will be in the tens or hundreds of millions each year. Your \$5,000,000 in initial fee plus 18 percent will not even begin to cover it, and these invoices will be recurring. The damage created is permanent, so the cost will be each year, every year, forever. Unfortunately, due to poor industry practices, insufficient regulation and enforcement and plenty of blatant lies by Range, this has become a battle. It is a battle you don't have to enter.

We already produce twice as much gas in Pennsylvania as we use. We do not need this. If you do allow leasing, you have entered a battle and I'm on the other side. Have a good day.

(Applause.)

PRESIDENT DEFAZIO: Thomas Donatelli?

MR. DONATELLI: Tom Donatelli, 1621 McCandless Township --- Pin Oak Drive, McCandless Township. President of Council, Council members, I appreciate the opportunity to talk to you before you this evening. I was a public works director from 1998 to 2008, and my responsibilities during that time were to provide

maintenance for the parks and enhancements over the nine county parks that we own. Obviously, the stories of the parks is a tremendous story. I'm sure you're all familiar that Ed Babcock set aside two parcels of land, North Park and South Park, which basically represents half of our park system, as a means for providing a common man a country club, basically, a country club for a common person.

Early in the 1920s, they brought in Paul Reese, who designed Yellowstone National Park, to design North Park. So our resources that we have in our parks is a tremendous asset. I always felt that we were the caretakers of our valuable resources. And for the life of me, the assets that our forefathers left before us, I always thought it was our responsibility to leave it in a better condition. Our parks have continued to flourish from the '20s to 1980. Since 1980, they have deteriorated, and that's perplexing. There was a study down at --- it was called the Allegheny Park Comprehensive Master Plan that identified in it that we have over \$120,000,000 of deferred maintenance in our county parks. And I thought that number was small. I think it's much more than that.

I guess the thing that has been most distracting as a public works director is I'm never able to walk in the park again and not see the deferred maintenance that needs to be done. But North Park has a water tower that's about ready to fall over. There's a mansion in South Park that's deteriorating. I can tell you, I know what you appropriated in your funding. Last year for the parks, it was \$1.3 million. I understand that your agreement this year, you have \$1.3 million for the park restoration. I think with the RAD money, you have a total of \$3,000,000.

You have an opportunity to get \$7.7 million upfront and \$3 million a year for the production of these wells. I can't --- I can see that as a source of revenue for our parks. My company does environmental permitting for the Marcellus shale company, for various Marcellus shale companies.

(Outbursts from audience.)

PRESIDENT DEFAZIO: All right. Let him ---.

MR. DONATELLI: And it is a relatively safe practice.

(Outbursts from audience.)

MR. DONATELLI: No. The Marcellus shale gas is a ---.

PRESIDENT DEFAZIO: Wait. Hold it. Hold it. Please let him speak. You know what? Hold it. You now, when you people spoke, no one interrupted you. Now you have someone speaking, why be ignorant? Let him speak. You're going to do what you want, and everybody else is going to do what they want. So let the person who's ever up here speak. Go ahead.

MR. DONATELLI: Well, the Marcellus shale gas development are highly regulated by the federal, state and local governments and have proven to be environmentally safe when performed responsibly and in accordance with current practice. Obviously, you know, the fracking process is involved. There's actually five layers of protections as they go down through the ground. They start with a 24-inch casing. They drill that casing the first 300 feet into the ground. They reduce it to a 20-inch casing and they keep on reducing it until there's five layers of protection. The groundwater is 300 feet within the first 300 feet of strata.

PRESIDENT DEFAZIO: Try to sum it up here; you're over.

MR. DONATELLI: You're over a mile deep. The geologist's structure of the ground prevents that water from seeping back up. So I think it's a relatively safe practice. I behoove you and I request you to vote positively for the drilling around Deer Lakes Park. Thank you.

PRESIDENT DEFAZIO: Elizabeth Donohoe?

MS. DONOHOE: Elizabeth Donohoe, Forest Hills. Greetings, Council, and ---.

(Microphone adjusted.)

MS. DONOHOE: I'll start that over again. Elizabeth Donohoe, Forest Hills, East of the city. Greetings, Council and fellow citizens. I hope to stay in Pittsburgh, where I've grown up and have mostly been for 50 years. I would like to continue to help to grow the local urban farming community, which I'm involved in here. It's made up of very creative, mostly young people, people who amazingly are beginning to make sustainable livings, all the while creating a western Pennsylvania that is worth living in. I want to --- I want to also continue being a beekeeper here, using all natural non-chemical methods and to be part of the Western Pennsylvania

alternatives to factory farm food production, the kind of food that depends on fossil fuels, which are the reason we are already feeling the effects of global climate change. There is so much right here in Pittsburgh and the surrounding counties. It's no wonder so many are spending week after week here in this room talking to you about frack-free parks. As the region's green momentum and the long-term potential are challenged by the effects of a single industry to consider allowing fracking in the very last wild places that we have in the county would be a collective failure of logic and imagination. Council, today's fracking is using new technologies to walk backwards into the past.

It is a bridge to a polluted Pittsburgh past, all dressed up to fool people. It is a golden gate for a relative few, no questions, but it's a bridge to nowhere for the rest of us. We, in 2014, have no right to so cavalierly shove the costs, the financial, the biological, even geological costs onto the near future and a future yet unborn. In these chambers, from citizens with no financial stake in this game, you have received and I trust have studied much valuable non-industry science and many unbiased reports on fracking. You have also undoubtedly been seduced by promises of revenue and jobs by an industry which, unlike those of us with no horse in the race, who have much personally to gain by what they claim.

When it comes to disruptive practices of any kind, it is not possible to participate without first convincing oneself and others that what you are doing is beneficial. Psychiatrist Dr. Robert Jay Lifton calls it having a claim to virtue, which is precisely how the oil and gas industry sells its process to the world. Claims to virtue are always attempts to cover up something, something that the person or an industry wants to be hidden. I'll close here with an excerpt from the New York Times piece from last month, Anger, a piece from last month, and I quote, two days after the equivalent of three million dump truck loads of wet earth heaved down onto the river near the tiny town of Oso, Washington, the emergency manager said, completely unforeseen. And it was considered safe.

PRESIDENT DEFAZIO: Yeah. Sum it up; okay?

MS. DONOHOE: Sorry?

PRESIDENT DEFAZIO: Try to sum it up.

MS. DONOHOE: Yes. Actually, Mr. Gitnik was given plenty of time, so I'm almost done.

PRESIDENT DEFAZIO: Well, you know what? Make it real quick.

MS. DONOHOE: Right.

PRESIDENT DEFAZIO: We're trying to keep everybody within three minutes.

MS. DONOHOE: Right. Mr. Gitnik had ---.

PRESIDENT DEFAZIO: Well, forget about him.

MS. DONOHOE: It was unforeseen in Oso. If you will turn it off, it will go so much faster.

PRESIDENT DEFAZIO: Okay. Well, it's going to go for --- come on.

MS. DONOHOE: Okay. It's unforeseen except for 60 years worth of warnings about it, and a 1999 report that outlined a very unlikely --- very likelihood of the catastrophic failure that just occurred. It is human nature, if not the American way, to look at potential disaster in the face and to prefer instead to believe the bright and shining lie. The truth is, Council --- and each of you know this in your hearts --- fracking is a predictable, slow-motion disaster that experts have documented will happen over time. Your significant power and responsibility is to see that it doesn't have that chance in our 12,000 beautiful acres. Thank you.

(Applause.)

PRESIDENT DEFAZIO: You know, let me say one thing. For the most part, everybody kept it right to the right time or an extra sentence or two. But look, we're not going to put up with people going way beyond that. It's not fair to everybody else, and it's not fair for everybody sitting here all night. So let's do it the right way. That's the rules. Peter Wray?

MR. WRAY: Three minutes, eh? Good evening. My name is Peter Wray. I live in Churchill Borough. I am Chair of the Conservation Committee of the Allegheny Group of the Sierra Club. In order to partly justify the leasing of the sub-surface mineral rights beneath Deer Lakes Park, at his informational meeting last Wednesday, the County Executive painted a picture of a park being in a dilapidated state. My wife and I went to the park last Sunday afternoon with the intent of photographing the supposed dilapidated condition. I've sent you a copy of a document that was really an account of our visit. We failed miserably.

Instead, we found well-maintained facilities wherever we searched; two newly-installed restrooms, a new shelter nearing completion, a new playground, recently built children's spray park and a fairly new bait shop for fishermen. We also went up to the Wagman Observatory, where we expected to find serious dilapidation. Again, we certainly found the exterior of the building to be in fine shape, with new gutters and paint job. Perhaps most telling of all was our discovery on our way back from the observatory, down the hill of a fresh planting of a small tree, a sure sign that the park staff has the funds and the wisdom to invest in the future.

So instead of finding abundant evidence of the County Executive's dilapidation, we found absolutely none; nada. This is a well-maintained, up-to-date gem of a park. Our experience in Deer Lakes Park now leads back to the responsibilities of Council. You are being asked to approve the County Executive's fracking lease, in part to provide funds for the improvement and maintenance of the nine-park regional system. But what are the real needs for those funds, and how are they prioritized? How do the perceived needs comply with the year 2000 Comprehensive Parks Maintenance Plan for the park system? What possible revenue streams are available, other than fees from fracking?

It was the matter of creating different funding streams that prompted the creation of the Allegheny Parks Foundation in 2007. But what is the role of the foundation in the current discussion? I never heard anyone mention the Parks Foundation, but they're alive; they're well. We believe firmly that it is the responsibility of Council to diligently pursue all these questions. So what are our conclusions after a personal search for the supposed dilapidation at Deer Lakes Park? We strongly urge Council to stop and think about what is truly needed for our nine-park system. Take your time. The shale gas isn't going anywhere. We doubt that Range Resources are in a real rush because of current market conditions, and the only person in a rush is the County Executive. Don't let him needlessly rush you. Thank you very much.

(Applause.)

PRESIDENT DEFAZIO: Joni Rabinowitz?

MS. RABINOWITZ: Pass.

PRESIDENT DEFAZIO: Pass? Thomas Merriman?

MR. MERRIMAN: Tom Merriman, 2093 Constitution Boulevard, in Elizabeth Township. And I'm asking the Council to seriously consider the consequences of the proposed drilling and extraction of natural gas from under Deer Lakes. I occasionally visit the park but regularly use White Oak, Round Hill and South Park, which are favorites of my grandchildren. When one of the parks' environments is threatened, it threatens all nine parks. We can assume that everyone at this meeting is familiar with the fracking process. We are all aware of the profits that can come through the natural gas industry. And we are also aware of the documented events of widespread water and air pollution. In models and in laboratories, the fracking practice works perfectly. However, in the real world, technology has been known to fail. As Yogi Berra once said, in theory, there is no difference between theory and practice; but in practice there is.

AUDIENCE MEMBER: Yogi Berra?

MR. MERRIMAN: Yogi Berra, yeah. It is imperative that Allegheny County reduce the use of polluting fossil fuels and begin to invest in an infrastructure of renewable resources. Drilling for natural gas prolongs Allegheny County's dependence upon fossil fuels; okay. Everybody --- or people seem to think that gas is our most valuable resource. I am a professor in the School of Design at Carnegie Mellon University, and I am fortunate to teach some of the brightest young minds in the region. These young people have a fresh vision of a healthy future. They are one of our most remarkable resources.

Allegheny County needs these young people and their innovative ideas to stay here, to live here and be part of America's most livable city. What attracts youth to the region are the new policies for green infrastructure and development and a healthy urban environment. They demand clean air. They also expect clean water. And that is necessary and expected. The county has received a lot of international attention recently because of the eagles that are nesting in Hays Woods overlooking the Mon River. The Mon is now clean enough to support resident eagles.

This conveys a message to the world that the region has a healthy, clean environment, and that the people are working to improve that environment. Fracking

in the county parks contradicts that image. Nothing must be done to jeopardize our water and air. I respectfully request that the commissioners not allow drilling under Deer Lake Park. I also request that a moratorium be placed on all drilling until a comprehensive environmental impact study is done. The damage we do now cannot be undone. Let's stop the legacy of extractive industries. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. George Jucha --- Jucha (changes pronunciation)?

MR. JUCHA: Good evening. My name is George Jucha. I live at 203 Essex Knoll Drive, Moon Township, Pennsylvania. I've been a lifelong resident of Allegheny County, and I appreciate you all having the time this evening and everybody sticking around. I'm adamantly against drilling on, under, near any of the park properties. I want you people to protect our parks. Why? Why? Has anyone here driven through the Moshannon State Forest? It's the Moshannon State industrial park. It is right next to S.B. Elliott State Park. If you haven't, you can go onto my website, Icam.org (phonetic), and you can watch my drive down through the park, where there's a gigantic brine storage treatment facility, with two 3,000,000-gallon tanks and a big lake. It's beautiful, really nice.

That said, what I'd like you to think about is what we've learned from history. History; we have a legacy of 200,000 orphaned and abandoned gas wells here, I told you that before, at an average cost of \$8,000 to \$10,000, \$12,000 to be filled, to be sealed. That's a \$2 billion legacy. Where are those companies now? Who's cleaning that up? Who's paying for that? We are. We've used 1.6 billion gallons of water for this hydraulic fracturing process. If anybody has any questions about what it looks like around the park, go to marcellus-shale.us website. You can fly right over it and see. In fact, you know, facts --- I mentioned these at Deer Lakes the other night --- Range Resources, 282 violations, \$508,950, the second worst in the state; 35 percent of the total fines in Washington County, 21 pages. The last page is empty; 20 pages of the 16 fines, the enforcement events, \$23,500 of which occurred at Deer Lakes --- or at Cross Creek Park.

That's a problem. Eight of these violations are for industrial waste discharges into the waters of the Commonwealth. That's a problem. A couple things we need to do, we need to require a tracer additive to everything that's put down in the hydraulic fracturing process, period. No open air impoundments. Animals don't know it's not a lake. They land in it. That's a problem. We need to make sure that we use every possible technology to reduce emissions. The 1.6 billion gallons of water, 200,000 truckloads of water. An average person uses 48,000 gallons of water a year. That's 33,000 people worth of water. We're projected to use 60 billion gallons of water through the course of this Marcellus Shale development. Do not let it occur around the parks. One last thing; please make a survey of any of the abandoned, orphaned gas wells and what coal development has been done, before you allow permits to occur. I thank you very much.

(Applause.)

PRESIDENT DEFAZIO: Lucas Lyons?

MR. LYONS: Lester, why'd you say, oh, God, when I walked by? Okay. Lucas Lyons, 1902 Meadville Street, Pittsburgh. First of all, I would like to reiterate my friend's point from earlier in the night. You're not even voting on a lease. The man earlier was talking about severance taxes and things like that. You're voting on an ordinance to give the Executive the right to negotiate a lease that you haven't seen; okay? So you need to be very clear about that. You're voting on an ordinance to give him the right to do things that you didn't approve. Okay? I sent a few of you an e-mail. I just wanted --- I was expecting, like, a big back and forth like we had out in Deer Lakes Park last week. That didn't happen tonight. So now I kind of feel stupid, because I had a lot of things I wanted to use to debate a lot of these people.

The first thing I wanted to talk about was the Marcellus Shale Coalition that spoke last meeting. They talked about, you know, how great this was for business and all this kind of thing. They helped fund the Penn State --- or the Penn State Center for Marcellus Shale Outreach, which is a lot of the science that these pro-fracking organizations are getting to say fracking is great in Pennsylvania. Guess what? I sent you an article. You can read it. It says, basically, the Marcellus Shale Coalition pays Penn State for three

studies. They paid \$150,000 for three studies to find a --- for them to say how safe fracking was.

Professors said, guess what? This is getting too far. We recuse ourselves from this study. Take our name off. They had to refund the money back to the Marcellus Shale Coalition because they wouldn't produce a document saying that it was safe. This is funded by the Marcellus Shale Coalition. They're helping fund the Penn State University. The second thing I wanted to point out to you is a news article about a family in western PA, Bradford County, three people --- three people had their water contaminated by fracking by Chesapeake Energy. They sued, and this is unprecedented, for \$1.6 million; three people. When that water comes downstream --- and half of Allegheny County is downstream from Deer Lakes --- when that water comes downstream, \$1.6 million for three people? What happens when it hits all these people?

(Applause.)

MR. LYONS: What happens when it hits half of Allegheny County? You don't know. \$3,000,000 a year? (makes noise.) \$1.6 million going to three people. Someone talked about the Range Resources case. They had to pay \$700,000 to settle a case with the Hallowich family. They refused to admit that they actually poisoned the people, but I guess they were okay with paying them \$700,000 to shut up. It's weird. Then I have included a bunch of scientific research to go against the Allegheny County Executive's notion that there's no migration. So I included a study that talked about migration with natural, earth formations, nothing to do with fracking, where brines with strontium, bromium (sic) ---. Please read the article. These fluids can migrate; okay?

And then the second article I wanted you to read was an article that stated that ---. The second article is directly tied to the Marcellus Shale drilling in Dimock, Pennsylvania, and they've realized that methane is coming to the surface of wells and is directly linked to the drilling that's happening there. And there's two other studies for you to read. All right. Thanks.

(Applause.)

PRESIDENT DEFAZIO: Okay. We have, what is it, Kerridwen Parslow?

MS. PARSLow: I'm Kerri Parslow, a resident of Forest Hills, 124 Elmore Road. You've heard from some

very passionate people here who are strongly opposed to fracking in public parks.

AUDIENCE MEMBER: Speak up, please.

MS. PARSLow: You've heard from some very passionate people here who are strongly opposed to fracking our public parks on environmental and ethical grounds. I won't reiterate what has already been said, though I do agree with most of what has been said. This is not simply a knee-jerk emotional reaction on my part. I have a degree in geology from the University of Pittsburgh, specifically in sedimentary stratigraphy, so I understand better than most the genuine risk to our watersheds. I also am a cost analyst and project manager at the former Eichleay Engineers, who is now a member of --- a division of the largest infrastructure engineering company in the world. So I have looked deeply at both the scientific and economic realities of fracking from the industry's own publications and research. First off, I would like Council to not make the mistake of writing off the people speaking tonight as simply a vocal minority. That is not the case.

I have here the results of a survey of public opinion in Pennsylvania of fracking published less than a year ago by the University of Michigan's Gerald R. Ford School of Public Policy, which reveals the real depth of the citizens' understanding and perceptions. First, when asked about public awareness of fracking, 59 percent of Pennsylvanians said they followed this very closely or somewhat closely. When asked how many of you have heard about fracking, more than 46 percent said they have heard a lot about it. When they are asked what they feel are the highest risks from fracking, 34 percent worry about water contamination, 9 percent about groundwater, 9 percent about health issues. Less than 28 percent of Pennsylvanians feel there are no risks to hydraulic fracturing.

When asked, what is the probability that fracking poses serious risks to health and environmental quality in adjacent areas, 71 percent say it has moderate to high impact. Only 17 percent say low likelihood. What do you think poses the major risks to our water resources? Fifty-nine (59) percent of Pennsylvanians strongly or somewhat agree with this. Eighty-one (81) percent of Pennsylvanians believe all companies should reveal all chemicals used in fracking. Forty-eight (48) percent

believe that there should be more regulation. Sixty-four (64) percent believe that taxes should be increased on drilling operations.

Sixty-five (65) percent believe the state should have a severance tax. Eighty (80) percent of Pennsylvanians consider natural gas a public resource, not a private resource for industrial exploitation. Pennsylvanians are neither stupid nor apathetic about the impacts of gas drilling on our state. And you know Pittsburghers and the people in this region are even more strong-minded than the average state citizen. Public opinion is largely against this lease. I urge Council members to consider carefully who and what you are serving when you assent to the lease. Are you willing to risk your own political future by being a party to this?

(Applause.)

PRESIDENT DEFAZIO: Thank you. Mike Stout?

MR. STOUT: Mike Stout, 4223 Willow Avenue, Castle Shannon, PA, the Honorable John Palmiere's district. A couple weeks ago I was watching a movie, Triple Divide, with my friend, Richie Fitzgerald. And I really wish everybody here on the County Council could see this movie, Triple Divide. Triple Divide is made by two local documentarians from this area, and it focuses on two counties, Bradford County and Potter County, in north central Pennsylvania, that has been fracking for five to seven years, the longest of anywhere in Pennsylvania. And you will get a microscope view of what Allegheny County is going to be like in five or six or seven years; the pollution, the people's land being poisoned, the water being poisoned, their children being poisoned, their animals being poisoned and the DEP covering it up. And two of these documentarians have scoured through the documents of the DEP for the last four years, and the cover-up that's gone on around that. So why would a steelworker, a dues-paying steelworker, and three of my steelworker friends on Council here, you know, some of who are pro-fracking --- why would I oppose it and why would I take a stand against it? I'll tell you why I take a stand against it. It has nothing to do with jobs. I support jobs. Bob Macey and Chuck Martoni and John DeFazio know that.

I oppose it because it is poisoning people, and I have seen it poison people.

(Applause.)

MR. STOUT: I oppose it because I've been to Butler County and I've met with the families who have to draw their water every day from water buffaloes. I've been to Washington County and met the people that it's poisoned. I've gone and seen the people in Dimock and Dish, that had their towns destroyed and their families destroyed and have had to move out of town. I have seen it firsthand. If you want me to, I'll take you on a little bus trip, and I'll pay for it. And I'll take you to go meet these people who have had their land and their water poisoned. And I'm not going to stand back because of the issue of jobs or anything else, any more I would around asbestos or anything else that causes cancer. And I'm not going to stand back around this issue and not organize against it. And I'm going to tell my friend, John Palmiere, we have thousands of petitions signed in the South Hills already, thousands of petitions. We're going to organize film screenings for Triple Divide in about three churches in the next few months. I hope you all come. I'm going to give you an invitation, and you can see firsthand the people who have had their families and their land and their water poisoned. And if that don't stop you, then you better, like, consider the issue of --- John Smith wanted to meet with you and the legal ramifications around this lawsuit that was filed and Supreme Court Decision, because there's serious legal ramifications and violation of our constitutional rights.

And that's why I'm up here. I'm defending our Constitution, and I'm going to defend our water and I'm going to defend our land. And I think we can have good, decent jobs to do that. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Jennifer Petrus?

MS. PETRUS: Hi. My name is Jen Petrus. I live in the City of Pittsburgh. Both my kids go to Pittsburgh public schools. I live at 1225 Richmond Street, 15218.

AUDIENCE MEMBER: Louder, Jen, louder.

MS. PETRUS: Let me get closer here.

AUDIENCE MEMBER: Yeah.

MS. PETRUS: So we've had a lot of data, we've had a lot of facts. Let me just start from a sociological point of view. Let me tell you about when I was born. I was born in July of 1968. I was due to be born in late August. Why was I was born in July? My mom's doctor told her that that baby needs to be born sooner, rather than

later. If you're not in labor next week, you give me a call. You come in, and we're going to induce labor. That baby needs to come out. Well, my mom was pretty sure of the due date, because my dad traveled a lot. So she knew where I was conceived. But it was 1968. You don't argue too much with your doctor.

She did mention to him --- she said, you know, three years ago when I had my son and he was three weeks late, and I asked if I should be induced, you said, no, don't worry about it. The baby will come when he's ready. The baby is fine. She wondered why I was different, but he told her that she didn't know anything and she needed to do what he said, because he was the doctor. So I was born underweight, some physical problems. I had to have a ten-day hospital stay that my parents had to pay for. And as my mom was leaving the hospital after I was born --- I was staying in the hospital; she was going home without her baby --- and she had saw a friend of hers also leaving the hospital without her baby. And they found out that there was another woman whose baby was born early, all of them induced by the same doctor.

They later put two and two together and found out that the doctor was going to be on vacation when their due dates were arriving. So he had them induce early, so that he could get the money for the delivery. If they delivered on time and carried their babies to term, as every healthy pregnancy should go, that somebody else would get the money. And what relevance does that have here? I see somebody else rushing, rushing, pushing. This has to be done now, this has to be done now. We have to get this through now, or we're going to miss this great opportunity. Whose opportunity? Who is pushing for it? Who's going to get the money? Who owes something to his corporate masters who gave him the money? Yeah, he needs to deliver what he promised he would deliver, so he can get the payoff.

Well, that's his deal. That's not our problem. And we don't need to --- I don't think anybody on Council needs to take orders from King Fitz over there. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Ken Weir?

MR. WEIR: Kenneth Weir. I live in Lincoln Place, City of Pittsburgh. And I have all of these thoughts that roll around in my head, so I just put them

down on paper as they came out, so here's what I got. Who would be informing this council if we simply stopped showing up? I wonder what would happen if the five Republicans played politics forming a holy alliance with the few concerned Democrats and voted no. I wonder what Rich Fitzgerald would then tell Range Resources and Huntley and Huntley. I wonder what our zoning laws would be like had not portions of an unconstitutional Act 13 been challenged? I wonder what life would be like if Rosa Parks had said okay. I wonder what our elections would look like if the women still could not vote. I wonder what decisions made by this Council would look like if the makeup was seven females, five males and a female county executive.

(Applause.)

MR. WEIR: I wonder why Katie Klaber went public with Rich Fitzgerald's solicitation for money. I wonder why solicitation for services in exchange for money is legal. I thought it wasn't. I wonder why the majority of the people who show up to speak are not from the industry. I wonder why they told us tobacco, asbestos, Agent Orange and DDT would not hurt us. I wonder why Ed Rendell would let this industry into Pennsylvania without any environmental or health impact studies. I wonder where the ace will go after he secures funding from this industry. I wonder why the county is not investing the money into renewable energy. I wonder why Rich Fitzgerald backed Bill Peduto for mayor of Pittsburgh, a co-sponsor of the ban on fracking in the city.

I wonder why Senator Jay Costa's hometown of Forest Hills has a ban on fracking. I wonder what the county government would look like if all lobbying campaign gimmes were illegal. I wonder why Rich Fitzgerald did not keep his promise and go to jail over the tax increase on our property values. I wonder why most roads and bridge repairs are occurring in areas where drilling is not or will be. I wonder if the ace is good friends with Gary Slagel of CONSOL Energy. I wonder what is being negotiated when you have what someone else wants. I wonder why Range Resources and Huntley and Huntley were the only bidders on Deer Lakes Park.

I wonder how long before we drill in North and South Parks, as well as our other ones. I wonder what it will take for the people to realize that we truly have the power. I wonder when the county airport will get fracked.

I wonder why some council members refuse to see the elephant in the room. I wonder, what is the hurry on gas drilling? I wonder, does it always have to be about the money? I wonder, would the public be more understanding if they knew that the protestors included professors, doctors, oncologists, teachers, engineers, nurse practitioners, housewives, mothers, community leaders, laborers, plumbers and electricians? I wonder what the radio, print and TV ads would look like if we had their money.

(Applause.)

MR. WEIR: And last, I wonder, why we, the people, accept socializing the costs and privatizing the profits; please tell me?

(Applause.)

PRESIDENT WEIR: Loretta Weir?

MS. WEIR: Wow, Ken, that was good. Hi, Loretta Weir. I'm a genius, because I know that BTX chemicals will poison us. And I have no question that that will happen; okay? Now I always say, maybe, Fitzzy doesn't have a degree. Matt Pitzarella from Range Resources, he never had a degree, either. Everybody around here lies. Anyway, on a humorous note, I went to the Deer Lakes dog and pony show, and it was very much like the airport dog and pony show.

But what this really reminded me of was the episode of Top Cat --- I don't know if you guys remember the cartoon, T.C. And we had some guys there with him, you know, from the council. And I was wondering if, you know, these were his gang; Benny the Ball, Brian (sic), Fancy-Fancy, Spook and Choo-Choo. And Benny the Ball and Choo-Choo were right next to Rich that night going, yeah, boss, yeah, boss, yeah, boss. And I was just watching this, and this is what's going through my mind, because none of this made any sense. And during the episodes, see Officer Dibble is always after these --- these are just alley cats, and that's all Rich really is, is an alley cat.

And he wants to evict them from the alley for one reason, because they're always trying to earn a quick buck. And it's usually by an illegal scam. And it just --- I just couldn't help noticing, it just had so many, you know, parallels to that meeting. The Tribune and P.G. are reporting on gaping holes in our water oversight. There's been another explosion in West Virginia. There

are cancer cluster communities cropping up, but this is something you just need have to read. And those are just little sidebars for people who do read. As far as Fitz is concerned, I wonder if anybody is afraid of this man and of anyone questions his motives or his mental stability, because I watch him and I do. Okay?

(Applause.)

MS. WEIR: The man sounded more like an industry spokesperson that night than an elected official sworn to protect the public. He front-loaded the comment time with industry people, friends of Fitz and didn't hold them to their three minutes as we were. He demanded on more than one occasion that we shut up and listen to his hand-picked cheering section. Okay? It was disgraceful. It was just a dog and pony show like the airport. He was unable to answer serious questions, the content of the lease. His response to every question was I'll get back to you on that. I'll get back to you, and then he'd be looking for his industry bosses to bail him out. Okay?

I don't think he has a degree. I wonder. Okay? It was disgraceful --- disgraceful to cancel the meeting with John Smith, an attorney who argued brilliantly in the Supreme Court. I was there. This man defeated all the hot-shot attorneys, because he had Act 13 proven to be unconstitutional in many, many, many aspects. But why would we want to hear from him? Rich said it wouldn't be balanced. Maybe you guys should have gone to the Supreme Court hearing. One final thing; if God didn't do a good enough job with our parks, I guess we need the frackers to put up their Christmas trees.

(Applause.)

PRESIDENT DEFAZIO: Ronald Worthy? Ronald, are you here --- Worthy?

AUDIENCE MEMBER: Wrong Worthy.

PRESIDENT DEFAZIO: We'll take any Ronald; right? no. Next is Sue Seppi. Sue?

MS. SEPPI: Good evening. My name is Sue Seppi. I live in O'Hara Township in Allegheny County.

PRESIDENT DEFAZIO: Before they ask you, they want you to speak up.

MS. SEPPI: My name is Sue Seppi. I live in Allegheny County in O'Hara Township, and I'm with Group Against Smog and Pollution. Being with GASP, I have a big concern for the environment, as does the organization. You may have heard the Precautionary Principle brought

forward in 1988. Since then, it has been enshrined in many regional and national policies concerning the environment and public health. It reads, when an activity raises threats of harm to human health or the environment, precautionary measures should be taken, even if some cause-and-effect relationships are not fully established scientifically. In this context, the proponent of an activity, rather than the public, should bear the burden of proof. In leasing Deer Lakes Park, Allegheny County government, you, are the proponents. Deer Lakes Park is under your stewardship, with the public trust that all that implies, morally and legally. Our parks do not have borders when it comes to air, water and noise pollution. Are you sure that the risks are minimal? A recent Post-Gazette article, Weak Records Cited in PA Shale Pollution, discusses litigation on PA Act 13 and notes this reply in the deposition of a DEP staff member, about whether an individual could find out if his neighbor's well water had been contaminated, if his neighbor and the shale gas company, in this case, Range Resources, had settled the complaint. The answer was, well, no. When I think about what information we have on file and what plaintiff neighbor would have access to, it's clear to me --- it's not clear to me how he might be aware of a problem at the Yeager water supply.

In later e-mail from DEP, it was pointed out that Contamination Determination Letters are public records, but the names of complainants are redacted and all the materials, records and investigation documents and reports are confidential. Do you really have all the information you need about natural gas activities and water contamination? A recent Colorado School of Public Health study found that women living near natural gas wells were more likely to give birth to infants with congenital heart defects. A health survey taken by the Southwest Pennsylvania Environmental Health Project released last year, found that people who live near drilling sites in Washington County, PA, in the Marcellus Shale, reported symptoms such as nausea, abdominal pain, breathing difficulties and nosebleeds, all of which --- all of which could be caused by pollutants known to be emitted from gas sites.

Similar problems have been reported by people who live in the Eagle Ford Shale in South Texas. Also noted is that there seems to be spikes in air pollution in

homes near natural gas extraction activities, which is hard for inspectors to monitor. One thing many research articles concerning natural gas extraction, health and welfare have in common is the call for more detailed information. Our parks are treasured public threats (sic) for us to be valued, not now but also for future generations.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Elissa Weiss?

MS. WEISS: Let's see. I have some handouts. Okay. Here we go. Thank you very much for your diligent attention to public comment on this issue.

AUDIENCE MEMBER: Get closer to the mic.

MS. WEISS: Okay. Thank you very much for your diligent attention to public comment on this issue and so much of it. It is incumbent upon you to proceed with great caution and due diligence, because of the potential environmental and health ramifications of this practice. Facts that should give us great pause. I have previously cited the Physicians for Social Responsibility position on fracking. PSR is the U.S. affiliate of International Physicians for the Prevention of Nuclear War and recipient of the 1985 Nobel Prize for Peace.

Their position states PSR supports a precautionary approach that includes a moratorium on the use of hydraulic fracturing until such time as impartial federal agencies, such as the USEPA, develop and implement enforceable rules that provide adequate protection for human health and the environment from fossil fuel extraction process --- processes that use hydraulic fracturing. Some points that we should think about; this industry, as has been mentioned, is exempt from the Clean Air Act, the Clean Water Act, the Safe Drinking Water Act and now we've heard, from the toxic release inventory. Ding, ding, ding.

The industry would not reveal the compounds' identities that they use. And this is for years. Even though they say this is a very old process, and they've been doing it for decades and therefore everybody should have some idea of what it is, they wouldn't reveal it. The gentleman from Range said and we reveal the things --- the compounds that we use now without great, great pressure. They have wanted to gag physicians regarding identity and potential health effects of public and individual exposures. And you probably know about the

medical gag rule in Pennsylvania. PSR is working to get proposed Maryland legislation that would ensure that healthcare and public professionals have access to toxicological and epidemiological and exposure related information on the chemicals being used.

That bill stands in stark contrast to the medical gag rule on the books in neighboring Pennsylvania that blocks the physicians from disclosing or knowing, without the non-disclosure agreement, the medications or the chemicals that are used. There is poor to no preparation for first responders, as we heard from an impassioned individual at the meeting last week. We know from the --- if you look to page two, the science --- the wealth of scientific resources on hydraulic fracturing, the second paragraph that's highlighted, you can access a peer-reviewed literature library with a continuing medical education program that is accessible to all of you and which provides credit to physicians who actually view it. There are science summaries which describe, among other things, peer-reviewed literature from 2011 to 2013, describing surface and groundwater contamination associated with modern natural gas development.

In the Marcellus Shale, higher concentrations of methane, radioactive compounds and in various other areas, such as Colorado, Kentucky and Texas, the same problems. We've also heard about real estate caveats with regard to mortgages.

PRESIDENT DEFAZIO: All right. Wrap it up real quick, please.

MS. WEISS: Okay --- with regard to mortgages and home insurance. And what we really need to do is attend --- question whether we are dealing with truly responsible public servants. Our number one priority here should be public health and protection of clean air, water and land that sustains us and economic and recreational considerations are for naught if we cannot sustain our lives and our health. Thank you.

(Applause.)

PRESIDENT DEFAZIO: The last speaker I have on the list here is Ron --- is it Slabe, your name? Close?

MR. SLABE: Hi. My name is Ron Slabe, 516 Angelcrest Drive, New Kensington, Pennsylvania. I'm going to thank the council for allowing me to speak, since I'm outside the county, because Deer Lakes is just a stone's throw from New Kensington, just over the hill. Much has

been said that there will be no surface drilling at Deer Lakes Park. However, in the lease, there are no setbacks, actual distances from the park's border, where drilling cannot occur. This means that open impoundments or frack pits filled with cancer-causing wastes, and the drilling itself can take place right up to the very edges of the park. And the lack of any adequate setbacks fails to protect the public from the type of explosion that occurred in Greene County recently. So lack of setbacks is a major flaw in this lease and a dangerous one. In the lease, there is required testing of the water within and around the park. But what good will the testing do if the entire gamut of chemicals tested for is unknown? It is imperative to know what chemicals you are testing for before testing can begin. And the drilling companies either don't know or won't tell us what those chemicals are. And if testing shows that contamination has already occurred within the park, it will already be too late and lasting damage done.

Recently, in West Deer, when people raised concerns about the possible polluting of the park's lakes if drilling occurs, Mr. Fitzgerald repeatedly --- and I mean repeatedly --- said that the lakes' waters were already --- already polluted. However, nothing could be further from the truth. A call to the Pennsylvania Fish Commission found the lakes to be clean and not polluted at all.

(Applause.)

MR. SLABE: In fact, on Friday, April 4, the commission stocked the lakes with trout, a species requiring the cleanest of water. And thousands of fish of numerous species are thriving within those lakes. So why would Mr. Fitzgerald tell such a whopper over and over again? Why mislead and purposely spread such misinformation repeatedly? I can only caution the members of Council to be most wary of what the Chief Executive tells you and verify all his facts, so-called facts.

Finally, you are told to be elated to have a partner such as Range Resources. But how can you be overjoyed knowing how Range Resources has sued its neighbors in other localities, not to mention the hundreds of DEP violations this company has accumulated? Is this the mark of a good neighbor, one concerned about the public's welfare? In essence, spills, explosions, drilling noise, air pollution from flaring and noxious

fracking smells emanating from open impoundments, are all aspects that should never, never be located anywhere near a public park. This deal does not have the protections needed and should be certainly rejected. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Okay. Thank you. We will now go to 8181-14, Approval of Minutes.

MR. CATANESE: Motion to approve the minutes of the regular meeting of Allegheny County Council held on February 18, 2014.

MR. KRESS: So moved.

MR. PALMIERE: (4:09:26 on website video):

Second.

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

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it.

MR. CATANESE: Let the record show that Mr. Baker is on the phone.

PRESIDENT DEFAZIO: Who?

MR. CATANESE: Councilman Baker is on the phone.

PRESIDENT DEFAZIO: Presentation of Appointments. 8156-14.

MR. CATANESE: Approving the re-appointment of Albert Geniviva to serve as a member of the Council of Friends organization (Hartwood Acres Park), for a term to expire on April 8, 2016. Sponsored by Councilman Kress.

MR. KRESS: I just wanted to say that I served on the Friends of North Park Council so I understand how important it is to get the Friends' members. And the fact is, we have these two wonderful people to serve, be Friends on Hartwood Acres. It's a great park. It's a beautiful park. And I'm really happy to have these people re-appointed to the Friends Group for Hartwood Acres, so ---.

PRESIDENT DEFAZIO: Make a motion.

MR. KRESS: And I'll make a motion.

MR. MACEY: Second.

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

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it. 8157-14.

MR. CATANESE: Approving the re-appointment of Janice Geniviva to serve as a member of the Council of

Friends organization (Hartwood Acres Park) for a term to expire on April 8, 2016. Sponsored by Councilman Kress.

PRESIDENT DEFAZIO: Ed?

MR. KRESS: Again, I just have to reiterate, I spoke to Janice on the phone, a wonderful person. I'll be at a meeting with the Hartwood people quite soon. Again, it's a beautiful park. I'm glad we have people like this who are dedicated to improving the parks. So I'd make a motion to re-appoint her.

MR. MACEY: Second.

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

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it. Unfinished Business. Committee on Appointment Review, 8145-14.

MR. CATANESE: Approving the re-appointment 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: Jan?

MS. REA: Thank you. The Appointment Review Committee met --- committee met, and we interviewed Mr. Headley for re-appointment to the Agricultural Land Preservation Board, and I make a motion for his approval.

MR. MARTONI: Second.

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

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it. 8146-14.

MR. CATANESE: Approving the re-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: Jan?

MS. REA: Yes. The committee met and interviewed Mr. Weaver for reappointment to the Agricultural Land Preservation Board, and I make a motion to have him re-appointed.

MR. KRESS: Second.

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

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it.
8147-14.

MR. CATANESE: Approving the re-appointment 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: Jan?

MS. REA: Yes. The committee met and interviewed Mr. Sray for reappointment to the Agricultural Land Preservation Board and I make a motion to have him reappointed to that board.

MR. PALMIERE: Second.

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

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it. Committee on Budget and Finance, Second Reading. 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: Mike?

MR. FINNERTY: Thank you, Mr. President. We met and this was referred to full Council with an affirmative recommendation. I make a motion that we approve this.

MR. PALMIERE: Second.

PRESIDENT DEFAZIO: Other remarks? Seeing none --- oh, it's a roll call.

MR. FINNERTY: Right.

MR. CATANESE: Mr. Baker? Mr. Baker? Mr. Baker, can you hear me?

MR. BAKER: I'm sorry. I couldn't hear the vote.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. ELLENBOGEN: What was that again?

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: Mr. Baker, are you present?
MR. BAKER: Yes, I am present.
MR. CATANESE: I can't understand you, Mr.

Baker.

MR. BAKER: I'll call back.

MR. CATANESE: There's some background noise. I can't hear you at all.

PRESIDENT DEFAZIO: Joe, don't you understand Portuguese?

MR. CATANESE: I'm trying to. I can get Russian. Fourteen (14) yeses and the bill passes.

PRESIDENT DEFAZIO: 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: Mike?

MR. FINNERTY: Thank you, Mr. President. Again, we met and this was moved to the full Council for further recommendation. I make a motion to approve.

MR. MACEY: (4:14:45 on website video): Second.

PRESIDENT DEFAZIO: Any remarks? Seeing none, all those in favor --- oh, that's another 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: 8150-14.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2014 (Submission 04-14). Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Mike?

MR. FINNERTY: Thank you, Mr. President. Again, the Budget and Finance Committee met and we moved this to Council with an affirmative recommendation. I make a motion that we approve.

MR. MACEY: Second.

PRESIDENT DEFAZIO: Other remarks? Seeing none, --- oh, we'll take a vote.

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 any? Sue?

MS. MEANS: I just wanted people to realize that all over the county and around the area this weekend is a --- there are drug collection sites so you --- there's a place that you can go and deposit your unused medications. People need to understand that your old medications, you don't want to flush those down the commode. You don't want those in the water system. You don't want to leave pain medications or things in your drug cabinets at home, because when someone comes into your house, that might be the first place they go, or even your grandchildren or children might go and use those drugs. So here is a website, www.dea.gov, and you can find a collection site near you. Thank you.

PRESIDENT DEFAZIO: Okay. Thank you. Anybody else? Okay. We'll move on to New Business; Ordinances and Resolutions. 8182-14.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the leasing of the county's interest in the oil, natural gas and other hydrocarbons from all formations deeper than 650 feet above the top of the Tully Formation underlying Deer Lakes Park, on the condition that no drilling activity to extract oil, natural gas and other hydrocarbons shall be conducted anywhere on the surface of Deer Lakes Park. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That would go to the Parks Committee. Nick, do you have anything?

MR. FUTULES: No.

PRESIDENT DEFAZIO: No? Okay. 8183-14.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Administrative Code of Allegheny County, Article 311, entitled, Official Actions of County Council, Section 5311.04, entitled Consideration, in order to clarify the requirement that all ordinances and resolutions be acted upon in either the affirmative or negative within 90 days of submittal. Sponsored by Councilwoman Heidelbaugh.

MS. HEIDELBAUGH: Mr. President, may I address this, please?

PRESIDENT DEFAZIO: Just briefly, yeah.

MS. HEIDELBAUGH: Thank you. Fellow Council members, I wanted to draw your attention to an ordinance that I have prepared, Bill Number 8183-14. And we currently have in our Administrative Code under Section 5-311.04, that County Council shall act on all ordinance and resolutions in the affirmative or negative within 90 days unless tabled by a two-thirds majority. And in this ordinance, which you'll see in the Whereas, we've done some research. And we have found out that various ordinances and pieces of legislation have gone into committee and died. And if you do the research, you'll see that most of the bills that have gone in and died have been sent there by the minority party.

And in fact, what's happening is there is a disparate impact here, so that the legislation from the majority party is going into committee and being heard. The legislation from the minority party is going to committee and not being heard, not being addressed and not being called out after 90 days. And one of the things that I'm most passionate about here on County Council is that we --- we abide by the Rule of Law. We abide by the

rules that we have set forth for each other, and that we do not diminish minority voices, which is, in fact, what's happening.

So I'm looking for co-sponsors, and I would hope that this --- this ordinance, which is to address committee bills that die, doesn't go to a committee and die.

PRESIDENT DEFAZIO: Okay. We'll put that --- that will go to the Government ---. Okay. 8184-14.

MR. CATANESE: A resolution of the County of Allegheny adopting and authorizing financing of a project by the Authority for Improvements in Municipalities, on behalf of the Blind and Vision Rehabilitation Service of Pittsburgh (the Borrower), as desirable for the health, safety and welfare of the people in Allegheny County. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That will go to the Economic Development Committee. 8185-14.

MR. CATANESE: A resolution of the County of Allegheny amending the 2012 Capital Budget for Allegheny County. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That will go into Budget and Finance Committee. 8186-14.

MR. CATANESE: A resolution of the County of Allegheny, amending the Grants and Special Accounts Budget for 2014 (Submission 05-14). Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That will go into the Budget and Finance. 8187-14.

MR. CATANESE: A resolution of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the formulation of policies governing the permitting of vendors conducting sales on the Roberto Clemente Bridge or on any such county-owned bridges suitable for such activity. Sponsored by Council members Kress and Macey.

PRESIDENT DEFAZIO: And that will go onto that new committee, the ---.

MR. CATANESE: Public Marketing.

PRESIDENT DEFAZIO: It's supposed to ---.

MR. FINNERTY: Marketing and Advertising or something?

PRESIDENT DEFAZIO: Yeah, Marketing. That's the new committee. Ed's the chairman. So do you want to say something?

MR. KRESS: Yeah, just real quick. We close the bridge 81 times a year, the Roberto Clemente Bridge. Can we derive any revenue from that closure? And I thought we could actually license vendors to sell items on --- or whatever on the bridge itself. And we have used this opportunity with other bridges in Allegheny County, with Rachel Carson, we have the Andy Warhol Bridge. So there's opportunity there, and the fact is we can make money off of it. And there's people willing to purchase licenses and to sell their products on the bridge. And there was interest from a --- somebody with a --- one of the vendors wanted to actually sell something for opening day. So we want to work on this. It's just a question about getting this ordinance into committee and trying to figure out what we can do. Because again, I'm just trying to raise revenue for the county but also increase, I guess, like the entertainment value of the bridge itself, because when people go to the game they're just walking across the bridge, and if we had, like, different things on the bridge that would appeal to people and enhance their activities for that day. So that's just what I'm trying to accomplish. Thank you.

PRESIDENT DEFAZIO: Okay. 8189-14.

MR. CATANESE: Amending Article II of the Rules of Council for Allegheny County Council, through the creation of a new Section F.11, in order ---

MS. MEANS: John?

MR. CATANESE: --- to provide a standardized rule governing participation in all standing committees. Sponsored by Councilwoman Heidelbaugh.

MS. HEIDELBAUGH: President DeFazio, may I address this briefly?

PRESIDENT DEFAZIO: Yeah. Well, did you want it on this ---?

MS. MEANS: Well, I just wanted --- I just wanted to say, respectfully, I have a motion that's not on the agenda and since we moved to this part, we don't have to recognize me now, but I would like to be recognized at a later time for my motion. Thank you.

PRESIDENT DEFAZIO: All right. Yeah. We're on Heather.

MS. HEIDELBAUGH: Thank you. This is to amend Article II of Rules of Council for Allegheny County. And basically, what this is designed to do, is if you go to various committees and you're either part of the committee

or you're a member of Council, which provides that you can attend the committee meeting and you can be recognized by the Chair, there have been various chairs that have imposed varying rules regarding attendance at committee by duly elected members of Council.

And what we should have is a uniform standard, and we all follow that standard so we all know what to expect, and that this --- what this amendment would do is say that no Chair shall prohibit participation by any member of Council within the existing rules. For instance, they can't point out one member and say, you can't talk; you're barred from this committee, unless they follow certain rules.

PRESIDENT DEFAZIO: No one did that.

MS. HEIDELBAUGH: It's happened.

PRESIDENT DEFAZIO: Okay. I'm not going to fight about it now, but --- okay. We'll put that in Government Reform Committee. 8190-14.

MR. CATANESE: Censuring Council member Michael Finnerty for committing eight separate violations of the Rules of Council and Robert's Rules of Order, during the course of the March 26, 2014 meeting of the Committee on Budget and Finance, which, in the judgment of Council, undermined the ability of Council to function as an effective legislative body while simultaneously reducing the transparency of Council's proceedings, jeopardizing the public's faith and the impartiality and independence of Council and violating the standards established by the Allegheny County Ethics Code; and additionally, requiring the Executive Committee to conduct a public meeting to determine Mr. Finnerty's fitness to continue in the role of Chairman of the Committee on Budget and Finance, and authorizing the delivery of a formal written apology for Mr. Finnerty's conduct to the Allegheny County Controller. Sponsored by Council members Heidelbaugh and Councilman Robinson.

MS. HEIDELBAUGH: May I speak to this?

PRESIDENT DEFAZIO: Yes.

MS. HEIDELBAUGH: Thank you. At the last budget committee, I was a witness and participant in what was a shocking display of authoritarian rule by the Chair of the Budget and Finance Committee. And outlined in this motion are the --- is the sequential ordering of what happened. We have a transcript that we can get that would --- everybody can listen to actually how this happened. We

had a situation in which a bill was presented by the Controller. Ms. Means wanted to amend that. And what Mr. Finnerty did was he presented an opinion of Mr. Cambest that had not been provided to us.

I requested a copy of that, was accorded two minutes to review a legal opinion without any of the materials that were the basis of your opinion. I asked to be recognized; I was recognized. I wanted to overrule or to file a motion to overrule the Chair, and the meeting was basically gaveled closed. My point with this is that the Budget and Finance Committee is one of, if not the most important, committees here in Council. We have a budget in excess of \$850,000,000, and we all take our commitments and responsibilities to attending the Budget and Finance Committee and participating in reading volumes and volumes of material. We all have to be able to be recognized appropriately and to be heard. We don't have one person who runs that meeting. In fact, the Chair, under the Robert's Rules of Order, is to be the arbiter and to allow the other members of Council to be heard. In addition, our Chief Clerk was disparaged in a way which was embarrassing. And what I want to go forward is, I want either an apology and a commitment to following the Robert's Rules of Order. And I would be happy to withdraw this motion or a full review of what happened, because we cannot be entering into the CAFR process and the budget process with a chair of the most important committee violating, beginning to end, Robert's Rules of Order and the Rules of Council.

MR. FINNERTY: Mr. President?

MS. HEIDELBAUGH: He would want to be heard on that.

MR. FINNERTY: Can I respond to that since I'm definitely the person that's getting ---?

MS. HEIDELBAUGH: This is out of order.

MR. FINNERTY: No, you just ripped me.

PRESIDENT DEFAZIO: The situation here --- well, you know, this is serious business what you're doing here, on this situation.

MS. HEIDELBAUGH: Well, what he did was serious business.

PRESIDENT DEFAZIO: Okay.

MS. HEIDELBAUGH: And this is out of order.

PRESIDENT DEFAZIO: No. I'm letting him speak, because you spoke against him personally on this. Go ahead.

MR. FINNERTY: Thank you. What was done at this meeting was that we have an illegal resolution that was put forth. Once that resolution was called, I said that it was illegal. We had the opinion of our solicitor, which stated that it was an illegal resolution, according to 805 of the Code and the Rules of Council, so that it was done with once it was illegal. And that was what happened. Now, you jumped in. You weren't even recognized. You jumped in and said, I don't --- this isn't right. I'm challenging that. Give me some time to read it. And I said sure, go ahead.

And I did recognize Barbara Danko, who asked if we could have a three-minute recess. And I said no, we're not going to have a recess. Just go ahead and look at it. The next thing that happened --- and there was no debate here.

MS. HEIDELBAUGH: Oh, that's correct. There was no debate.

MR. FINNERTY: You got it right. So a lot of this is not true, because we're talking about a debate that I participated in, and there was no debate. The next thing that happened was somebody --- and Councilwoman Means said she wanted to make a motion. She wasn't recognized, either. So now we're looking at all this here. We have an opinion that says it's illegal, and we had an opinion the week --- two weeks before this, because it was stated at this meeting that that was an illegal resolution.

So that's what we have. Then we have --- I don't know how this ever got in here. There was a whole page in here that states that --- that it was illegal because I asked our solicitor for a legal opinion. I went up and talked to our clerk about this, and he said he didn't have a problem with it, because he was going to talk to our solicitor, Mr. Cambest. And all of a sudden we've got a whole page up here that says it's illegal, because I didn't go through our clerk. Well, if that's the point, well, that's definitely a moot point, number one, because then we should be thinking at this council that we need a clerk, because we don't have a clerk.

We have a writer and a clerk; all right? So that whole page is not fact, because I talked to Jared

about it that day, and he said he would talk to Jack, and there was no problem. Jared knew this was coming, because I had ---. Jack didn't send it yet, but he was going to. Okay? So as this went on, and I gaveled --- I gaveled the end of the meeting because I have that right and I did it. I said, that's it; it's over. So that was the end of the meeting. And I get called names by our illustrious councilwoman

You know, I'm looking --- I didn't even respond to it. It was so childish to be calling people names. So that was the end of the meeting. Now, there was nobody there that I disparaged. Mr. Barker knows what he should be doing. And when you said to Mr. Barker, what can we do, he should have asked me if he could speak, because I am the chairman; and he didn't, he jumped in. And that's when I said, you're not the solicitor, and he isn't. That's not disparaging him. That's a fact. The solicitor is right there. Those are facts; all right? Now you can take it any way you want, and that's fine, but that's what I said. And then I gaveled the meeting.

MR. ROBINSON: Mr. President?

PRESIDENT DEFAZIO: Well, I guess, being that we opened the door now, we're all going to speak here.

MR. ROBINSON: Mr. President?

PRESIDENT DEFAZIO: Yeah.

MR. ROBINSON: You did not open the door. I am a sponsor, along with Ms. Heidelbaugh, and I'm entitled to speak on this matter. I'm asking you to recognize my right to speak on this ---.

PRESIDENT DEFAZIO: I did say yeah, speak.

MR. ROBINSON: No, you suggested that you opened the door and somehow now you are granting some privilege to speak.

PRESIDENT DEFAZIO: Well, it was yours, I was ---.

MR. ROBINSON: No, you are not, sir.

PRESIDENT DEFAZIO: Look, do you want to speak or don't you want to speak?

MR. ROBINSON: I'm going to speak, sir.

PRESIDENT DEFAZIO: Okay, if I let you speak and I say you ---.

MR. ROBINSON: Rule me out of order then, sir.

PRESIDENT DEFAZIO: I said you could speak. Why make an issue out of nothing?

MR. ROBINSON: Because you're trying to make an issue out of it.

PRESIDENT DEFAZIO: No, I'm not, because I heard someone over here say something about it. So go ahead, speak.

MR. ROBINSON: With all due respect to Ms. Rea, don't start a fire unless you know what's going to burn.

PRESIDENT DEFAZIO: Well, look, if you have something to say ---.

MR. ROBINSON: I was summarily dismissed as chairman of Budget and Finance by then-president Martoni, nor were any of my constituents told why, other than Mr. Martoni said, I'm the president, it's my prerogative. Having said that, ---

PRESIDENT DEFAZIO: Bill, does that have anything to ---?

MR. ROBINSON: --- I was in attendance at the meeting that Ms. Heidelbaugh and Mr. Finnerty are referencing. I made no attempt to interfere with that meeting. I didn't say anything in that meeting. I didn't challenge Mr. Finnerty in that meeting. For better or for worse, my name was brought into discussion at that meeting and in subsequent meetings, relative to the conduct of the Budget and Finance Committee. I am not the chair of that committee. I am not a member of that committee. I'm not the chair of any committee. Thank you, Mr. DeFazio.

PRESIDENT DEFAZIO: Okay.

MR. ROBINSON: Also, my concern is we have started a fire that is consuming us as a council. We're acting, in my opinion only, like the Keystone Cops.

PRESIDENT DEFAZIO: I agree with that.

MR. FINNERTY: So do I.

MR. ROBINSON: Mr. Cambest is our solicitor, or whatever other official title he has. Mr. Cambest does not make rulings as a judge would. Mr. Cambest, in my opinion, is our overcoat on a cold winter's night. We pay Mr. Cambest to give us his best advice. He's pretty skilled, pretty knowledgeable. I thank him for his service. Mr. Cambest cannot tell anybody on this council what to do, with all due respect to him. He said to us on several occasions, this council is free to do what it will. He's absolutely correct. We would be ill advised not to take into consideration --- serious consideration, whatever he tells us, not just because we pay him but because we respect him. But Mr. Cambest cannot substitute

his judgment or his opinion for the decision of any duly elected member of this council to do what they damn well please.

And that's what I plan to do. I think it is obvious that this kind of motion is before this council because of the lack of leadership on this council to prevent it. Ms. Heidelbaugh has made it clear, even when I was chairman of Budget and Finance, that she did not like the way things were operating. Out of courtesy and respect to her and the committee, when I felt that I had had in any way offended her or any member of Council, I apologized in the committee and I apologized here on the record. I do not take lightly joining her in this effort. But I said to Mr. Finnerty last year, when I put up a similar motion concerning him, that I would withdraw it at that time but I reserve my right to present it again. Here it is. Out of Mr. Finnerty's own mouth and under his own chairmanship, has had brought this matter, a more serious matter, to our attention. Mr. Finnerty probably thinks I forgot when he brought a similar motion against me, he said he had some evidence of my behavior. Well, there's evidence of Mr. Finnerty's behavior in a recording. This is not the time and place for us to have a substantive discussion on the way we relate to one another. And I think Ms. Heidelbaugh offered, in her opinion, a way out for all of us, and that is an apology to her. That apology, as I understand it, she wants from Mr. Finnerty. I won't presume to tell Mr. Finnerty what to do. I never have and never will.

But this is a fire that's going to consume us if this council and this leadership, starting with you, Mr. President, don't take charge of seeing that the rules are enforced and that your chairpersons that you have appointed --- and you appointed Mr. Finnerty --- conduct themselves in a way ---

PRESIDENT DEFAZIO: No, I didn't appoint him.

MR. ROBINSON: --- that prevent members from having conflicts with one another in public, such as this, and throwing staff under a bus and trying to suggest that Mr. Cambest is more than he is. It's unconscionable. And we seem like we are destined to continue down this road for whatever reason. When I put up my motion to have Mr. Martoni --- Dr. Martoni resign, I was serious, not just because of what had happened to me, but the manner in which I felt he had conducted himself. And Mr. President,

I think you're conducting yourself the same way. And here's Mr. Finnerty and Ms. Heidelbaugh, two duly elected officials, arguing here in public over the procedures in a committee. And you have the authority and authorization to stop this nonsense and you don't and you won't. Thank you, Mr. President.

PRESIDENT DEFAZIO: Well, let me say one thing then. I want to bring out the facts, and you ran the same meeting that Mr. Finnerty ran. And you've done the same thing that he did.

MR. ROBINSON: Don't start a fire if you don't know what's going to burn, Mr. President.

PRESIDENT DEFAZIO: Look, if you want to start something ---. Don't go threatening me. Tell me what you .

MR. ROBINSON: Don't start a fire if you don't want things to burn.

PRESIDENT DEFAZIO: I want the ---.

MR. ROBINSON: What you are saying is an out-and-out lie.

PRESIDENT DEFAZIO: No, that's not a lie.

MR. ROBINSON: It's an out-and-out lie, Mr. President.

PRESIDENT DEFAZIO: It's not a lie.

MR. ROBINSON: It's an out-and-out lie.

PRESIDENT DEFAZIO: No, it isn't.

MR. ROBINSON: Yes, it is (gesturing).

PRESIDENT DEFAZIO: Let me say this.

MR. ROBINSON: You can wave your hand all you want.

PRESIDENT DEFAZIO: And you can yap your big mouth all you want.

MR. ROBINSON: And I will continue to do so.

PRESIDENT DEFAZIO: Until I tell you you're done.

MR. ROBINSON: You don't have any control over me.

PRESIDENT DEFAZIO: Yeah, I have ---.

MR. ROBINSON: Who do you think you are?

PRESIDENT DEFAZIO: I could stop the whole meeting, but I'm not going to.

MR. ROBINSON: Well, go ahead and stop it.

PRESIDENT DEFAZIO: I said I'm not going to stop.

MR. ROBINSON: Go ahead and stop it.

PRESIDENT DEFAZIO: You're talking about ---.

MR. ROBINSON: You don't have any control over me. You and Mr. Finnerty are not telling the truth.

PRESIDENT DEFAZIO: Yes, I am.

MR. ROBINSON: You are not.

PRESIDENT DEFAZIO: Yes, I am.

MR. ROBINSON: Find the evidence.

PRESIDENT DEFAZIO: Look, I want you to sit down for one minute so you hear this.

MR. ROBINSON: Don't mention my name again, please, sir.

PRESIDENT DEFAZIO: Okay. I'm not going to mention it unless we have to.

MR. ROBINSON: Don't mention my name again, sir, please.

PRESIDENT DEFAZIO: I said unless we have business, we won't. Let me say this to you, Heather, so everybody hears the facts. Under Robert's Rules of Order --- and I think I know Robert's Rules of Order as much as anybody or more here --- there's no violation. Committee meetings are not run like meetings up here. So we don't use all the rules in Robert's Rules of Order in the committee. Okay?

MS. HEIDELBAUGH: I respect you. You're the president. I disagree.

PRESIDENT DEFAZIO: Okay.

MS. HEIDELBAUGH: I disagree. I've researched this. I believe Mr. Finnerty's actions were wrong. Not only do I believe they were wrong in Robert's, I believe that this --- this democracy doesn't fare well when he behaves in that manner.

PRESIDENT DEFAZIO: But all I want to tell you is, if you don't want to believe me, you can ask our solicitor or someone that knows parliamentary procedure. They have to know our rules. Our committee rules are not the same as regular meetings up here.

MS. HEIDELBAUGH: Okay.

PRESIDENT DEFAZIO: That's all I want to tell you.

MS. HEIDELBAUGH: Let's assume for a second everything you've just said is correct.

PRESIDENT DEFAZIO: Right.

MS. HEIDELBAUGH: Morally --- morally, what he did and what he --- what he continues to do by acting as a bully and now allowing a full discussion or even a limited

discussion, is not what this county should be doing. And he should be ashamed of that behavior. That's all I'm going to say.

PRESIDENT DEFAZIO: Okay. And he has to live with what he said, but he didn't violate the rules like you said.

MS. HEIDELBAUGH: In your opinion.

PRESIDENT DEFAZIO: Okay.

MR. FINNERTY: I have a motion, also.

PRESIDENT DEFAZIO: Okay. Go ahead.

MR. FINNERTY: I'd like to have the motion passed out, please. This is censuring Ms. --- Councilwoman Heidelbaugh.

(Copies of motion distributed.)

MS. HEIDELBAUGH: Can I address this before I ---?

MR. FINNERTY: It has to be read, introduced.

MS. HEIDELBAUGH: Well, I just want to say --- I just want to say that I didn't say this.

PRESIDENT DEFAZIO: Well, wait. Try and keep everything in order today. Mike?

MR. FINNERTY: He has to read it, the motion. Do you have it?

PRESIDENT DEFAZIO: Okay.

MR. CATANESE: It's a motion of the Council of Allegheny County, censuring Council member Heather Heidelbaugh for remarks made during the course of the March 26, 2014 meeting of the Committee on Budget and Finance which, in the judgment of Council, violates the standards established by the Rules of Allegheny County Council and the Allegheny County Code of Ethics. Sponsored by Councilman Finnerty.

MR. FINNERTY: Okay. And if I could?

PRESIDENT DEFAZIO: Yeah.

MR. FINNERTY: If you look at --- I think it's one, two, three, four, five --- the fifth one, whereas, it talks about me being --- said that --- oh, you're President Putin. Who do you think you are, President Putin, is what you said, with the exact ---.

MS. HEIDELBAUGH: That's not what I said. What I said is, I'm not Crimea and you're not Putin.

MR. FINNERTY: There you go. All right? And that's fine.

MS. HEIDELBAUGH: Putin (corrects pronunciation).

MR. FINNERTY: All right. And I think that's deplorable calling people names. And I don't think there's any ---.

MS. HEIDELBAUGH: I don't think it's deplorable that I said you're not Putin, but whatever.

MR. FINNERTY: Well, I think that deserves a censure as well as anybody --- anything else, if you're going to call somebody a name in a committee meeting.

PRESIDENT DEFAZIO: Okay. What I'm going to do is send them both to committee, government reform, send them both to committee and you can debate it.

MS. MEANS: I have a motion.

MR. FINNERTY: My answer was to this, to have an apology also.

MR. ELLENBOGEN: Point of personal privilege.

MS. HEIDELBAUGH: I agree. You're not Putin.

MR. FINNERTY: You know, so do I.

MR. ELLENBOGEN: The Chair has recognized me. You know, I've been involved in politics for 42 years, so I'm going to take a little quick journey, real quick. In 1980, I watched an entire city council dismantled and defeated because of this kind of nonsense. Stop the circus. In fact, the controller's uncle, that's how he got his first Council seat. I mean, folks, you know, this doesn't serve the people, us going back and forth. It just doesn't.

So I just wish that everybody would have cooler heads prevailing. I know you're all very bright, intelligent and passionate folks. And I just think that this is --- this is really just not the way to go. We have a lot of really serious issues facing us, and to me, this is --- you know, it's just not right. I'm sorry. Thank you for recognizing me, Mr. President.

PRESIDENT DEFAZIO: I think most of the people agree, and I'll even look to you, Bill. I agree even with you. We probably have to stop a while and just put it in committee and do it there, rather than get this whole thing started. So let's just do it that way. Let's take these two --- did we vote on this? No, send them to committee. Send them both to --- we'll send them both.

MR. CAMBEST: We need to put Mr. Finnerty on the agenda.

PRESIDENT DEFAZIO: We need him to put on ---?

MS. HEIDELBAUGH: He has to get a second.

PRESIDENT DEFAZIO: Yeah, he ---.

MR. FINNERTY: Yeah, I need a second to put it on.

PRESIDENT DEFAZIO: Does someone want to second? Do you make a motion?

MR. FINNERTY: I'll make the motion.

PRESIDENT DEFAZIO: Does somebody want to second to put it on? Does somebody want to second?

MR. MACEY: Second.

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

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it. Okay. Both go to committee.

MS. MEANS: I have a motion.

PRESIDENT DEFAZIO: Go ahead.

MS. MEANS: I have a motion that's not on the agenda. Can Jared still pass it out, please? Tom is on the phone still? Okay.

(Copies of motion distributed.)

MS. MEANS: May I speak to the ---?

PRESIDENT DEFAZIO: Yeah.

MS. MEANS: Do you want a minute to read it first? I am a nurse.

PRESIDENT DEFAZIO: Let's just --- come on.

MS. MEANS: I am a nurse, and I am not legally savvy. And so I would really like to hire an independent attorney to look at the lease and the ordinance to give us advice. And this is going to be a really big decision. I feel like we have to have all our Is dotted and our Ts crossed. And I would really like to go forth with hiring an independent attorney to help us with the process to do our diligence. Thank you very much.

MS. HEIDELBAUGH: Second.

PRESIDENT DEFAZIO: Okay. I would say ---.

MS. MEANS: I would be the first and she would be the second. Sorry.

PRESIDENT DEFAZIO: There's a motion on the floor. What I would say, I don't think we have enough information, no matter what. We should send it to committee. We need a lot of things answered about attorneys and that, doing this.

MS. MEANS: I think --- I believe there was a motion that we could vote on this evening. And basically, you can see that we have capped the cost at \$4,000. We, the members that vote in favor of this

motion, will jointly decide on the attorney. I'm hoping for someone that --- you know, I want someone that's savvy in gas and oil and also has experience representing landowners, which we are. So can someone rule? Can we vote on this this evening? Can someone rule and who would rule and how many votes do we need?

MR. FINNERTY: Well, first of all, we've got a motion and a second. We need to vote to put it on the agenda.

PRESIDENT DEFAZIO: Well, I think she did get the second, didn't you?

MS. MEANS: Yeah. I'm the first and Heather the second.

PRESIDENT DEFAZIO: All right. Other remarks?

MR. ELLENBOGEN: I just want to say --- Councilman Robinson said that any Councilperson can do as they please. Now, every Councilperson up here has an expense account to do as they see fit, to spend what best enhances their position. Now, I personally do not think that we need another attorney. I mean, we got more attorneys up here than the County Law Department just sitting up here. But if --- the folks that want to do this, I would support them taking those funds out of what is their given monies to spend as they see fit. That way those of us that feel that --- you know, we're comfortable with how we sit, feel that you can do your due diligence as you see fit but without us being put in a position that we have to vote on other monies that could be used elsewhere. That's how I see it. So thank you, Mr. President.

MR. FUTULES: Mr. President?

PRESIDENT DEFAZIO: Yeah.

MR. FUTULES: As the Chairman of the Parks Committee, part of our process during the committee meetings will be to address our attorneys. We also have an outside attorney that the administration has hired to represent the lease agreements. And we also have Jack Cambest as our attorney. During that process, if Council members ask questions to the attorneys and feel uncomfortable with their answers, then I think at that time maybe something --- if you feel we should have an outside attorney, that's your prerogative. I personally don't think we need one at this time. But I won't exclude the fact that if one of our attorneys say I'm not capable or able of answering your questions, that would be a

different story. But we haven't given them that opportunity yet. We have an expert outside attorney that doesn't work for the County that is representing, at this time, the administration. And they're the ones that are coming to us asking us to do the drilling of the parks. So we as a Council will evaluate their answers. So that's one way we have to understand it. That's the way we have to understand it. They're coming to us, and if we ask the questions that they can't answer, then it's going to be clear-cut how you might want to vote come time when it's ready to vote. But I don't see us hiring outside attorneys every time we have an issue. Mr. Cambest, is your law firm prepared to represent us?

MR. CAMBEST: Let me make a comment. I think what this motion seems to say is we have a very, very extensive lease that's been proposed to you. I can tell you right now, no outside counsel will review this lease for \$4,000. I mean, you're dreaming.

MS. HEIDELBAUGH: I have a bid.

MR. CAMBEST: Now, Mr. Futules, I think, raises a good question, that within that lease there may be certain points that either I or Mr. Szefi can't address. I doubt that maybe even outside counsel who the administration has hired as an independent person to look at it for the best interest for the County --- maybe they can't answer the question. And I think it would be appropriate at that time and well within maybe that \$4,000 figure that Ms. Means has indicated as a cap, that certain specific issues may be able to be addressed for that. But I really doubt that somebody is going to be able to review this lease and answer the questions that I've heard raised by 59 speakers tonight for \$4,000. It just won't happen. So I think Mr. Futules raises a good issue, that maybe through the course of this, if it's necessary to bring somebody in on specific items that nobody can address that's sitting here tonight, that might be appropriate. I'm trying to give you the best answer. I mean, I can tell you if you're looking at a term of the lease, if you're looking at standard lease language, I don't know why you'd want to pay an outside counsel to discuss that with you. There are many items in that lease, as I look at it, that are negotiable issues. They're not right or wrong, legal or illegal. They're negotiable items. You may believe 19 percent is great. The administration may believe 18 percent is satisfactory. That's a decision you

have to make. You don't need an attorney to tell you that. If you want to look at the information supplied to you, that Mr. Gitnik offered to you this evening as to the leases that are out there and where the percentages are, somewhere between 18 and 20 percent, you don't need to pay an attorney \$4,000 to tell you that 18 and 18.5 or 19 is better than 18 percent. So I think Mr. Futules brings up a good issue. As we go through that, if there are items that really need addressed by who you believe somebody independent, other than the County Solicitor, myself, the attorney that they hired, let's go out and at least be specific to that attorney; this is what I would like you to look at and give your opinion.

PRESIDENT DEFAZIO: Heather was next.

MS. HEIDELBAUGH: Thank you. It's my understanding that Mr. Fitzgerald got wind of the fact that there were several Council members, perhaps a majority, that wanted to hire an independent attorney. And so he was on the phone today for some period of time calling through Counsel trying to convince Counsel not to hire an independent attorney. So that always makes me extremely suspicious. It makes me want to hire an independent attorney even more. I've spent 30 years at the Bar, and so I have pretty clear opinions about these issues. I have a lot of respect for Mr. Cambest. I don't believe that you're an oil and gas specialist.

MR. CAMBEST: I'm not. I will tell you that.

MS. HEIDELBAUGH: You know, oil and gas just came to our region. You are a specialist in the law that you --- you know, you're a solicitor, you're a specialist in that. Obviously, we can't say we're specialists in that, but Mr. Stonecypher's firm was hired by Mr. Fitzgerald. He went out. He hired a lawyer. That lawyer participated in working with Range Resources and Huntley and Huntley. So he has an entire legal department. He has an enormously capable lawyer in Andy Szefi, but he felt a need to go out and hire his own lawyer. Okay?

So concomitantly, we should have our own lawyer, not put Mr. Szefi in the middle because he may have to be involved in litigation against the County or that the County initiates; okay? You're not an oil and gas specialist. I don't know who invited Mr. Gitnik here today. It's the first time he's shown up. I would surmise that someone invited him here. He has --- he

doesn't have opinions, he has data. And what I'm looking for in an independent review, all right, I've done some oil and gas work and I've looked at some leases but I don't think I'm a specialist in it. I did get a bid from a bipartisan firm in the city of a gentleman who regularly engages in representing landowners. We are the trustees for the landowners, in essence, because we're trying to value the terms of the lease and, you know, the actual terms, okay, the royalties and all that. And his law firm regularly represents the Democrats. His law firm regularly represents Republicans. The lawyer himself I think is a Democrat. He would charge --- he agreed to a review of the lease on \$3,000. Now, I'm sure if it was some extensive engagement it would be more. We can talk to him about that. But he is a specialist in this. This is something we ought to have for ourselves.

Now, if there isn't concomity between the Democrats and Republicans on Council, then the Republicans should hire someone and the Democrats should hire someone or some combination thereof. Everybody has a right to have their own Counsel. That's what people do. They lawyer up. This is an enormously important decision that we're making and people have questions. There's also the attorney/client privilege. All right? I don't know whether Mr. Stonecypher can give information to us. And I don't know if the information he gave to Mr. Fitzgerald he can share with us. There's an attorney/client privilege.

MR. CAMBEST: They would have to permit. They would have to agree. They would have to consent.

MS. HEIDELBAUGH: Then he would have to say everything Mr. Fitzgerald told him. I don't think that's going to happen. So you know, the more people resist an independent review, the more I question it. I think that it's important. It's an important part of the step. Going out to Deer Lakes was an important part. Hearing everybody here on 15 different occasions, reading and reading and reading. All of these are steps. And then you're going to come down to your gut instinct. So I'm very much in favor of this. My gosh, \$4,000 is nothing in comparison to what we're about to do here and the eventual litigation that may ensue. And the last point is, if you look at the Act 13 case in the Supreme Court, that would just be another box to check that we've done some due diligence.

MR. ELLENBOGEN: I just wanted to say, I mean, I was listening very closely to the speakers tonight and, you know, we're talking about legal opinions, you know, legal opinions to stop this from happening. The bottom line is regardless of what anybody or anything does, it's going to be incumbent upon the 15 of us that vote. So I can only speak my mind and I'll tell you what I would support. My biggest interest is not so much the lease area because, you know, Mr. Szefi, Mr. Cambest, Mr. Barker, Heather, yourself, Amanda, I mean, you guys know what standard basic leases look like. To me the biggest issue here is what Councilwoman Means said, people's health. You know, if you wanted to hire a medical expert, somebody who could sit there and give me the --- because I'm getting too much information, it's safe --- excuse me, it's not safe, you know, cancer, it's okay, I'd like to hear what nuclear medical people have to say.

Now, if you came to me and said to me, if you want to make it a Democrat/Republican thing, that I want to hire --- that this person is a medical forensic or whatever, I don't even know what you call them. I would support that. I would support that. I'm saying it publicly, I would support that, because to me the biggest issue here is, you know, are we trying to stop this or do we want to know what's safe and what's not? You know, I don't want my grandchildren and future generations facing something that could be catastrophic. I want to hear what the experts have to say. And if this Council wants to put money up to hear that I'd be more than willing to support that. That's how I see it, so thank you for entertaining my thoughts.

PRESIDENT DEFAZIO: Let me ask our solicitor a question. If you needed --- a lot of these people are going to have questions. If you needed help and you needed another expert between your group and the other group, if we needed someone else, you would be willing to go out and get somebody if needed to get their opinion.

MR. CAMBEST: Certainly. And that's why I addressed what Mr. Futules said. That there may come up through the public hearings that you engage in questions that can't be answered, maybe can only be answered by a specific person, whether it's some medical person to talk about health and safety, or whether it's a legal term in the lease. And if that would arise, I don't see any problem in, if Heather has a proposal from somebody,

bringing them in on that specific issue as opposed to sitting down and saying review this 81-page lease for me. I just don't know how in-depth they will get for \$4,000. And I know he gave you a proposal for \$3,000, but ---.

PRESIDENT DEFAZIO: See, the thing --- why I'm asking you, you're our solicitor. Okay? We're going to have people up here --- if Heather gets involved in saying, we should hire this one, people are going to say, now wait a minute. Let's say, for example, Nick Futules wants to hire somebody on the other side who will say, wait a minute, you know. So you know, no matter which way you go, no matter who you bring in, there's going to be questions on --- wait a minute. I don't like that person.

MR. CAMBEST: Sure. I mean, Mr. Ellenbogen raises the issue here before Council. I don't know that there's any legal or illegality issue. Are you talking about a lease that, for all intents and purposes, is legal under the laws of the Commonwealth of Pennsylvania, except for certain areas that were brought out in the Act 13 lawsuit? So nobody has stood up here, has come before the council that I heard and talked about legalities or illegalities. So we know there are zoning issues that are addressed by the Supreme Court. But we had 59 people discuss the issue tonight. Fifty-eight (58) want to have clean air and water. It has nothing to do with whether the lease is legal or illegal, whether 18 percent or 19 percent is good or bad, whether 5 years or 3 years on the lease is good or bad. It doesn't come down to that.

PRESIDENT DEFAZIO: Right.

(Interruption from audience.)

PRESIDENT DEFAZIO: Hold on. Go ahead.

MR. CAMBEST: So I think there may be issues, other than legal issues, as Mr. Ellenbogen said. Council may want to bring in somebody who's an expert geologist or an expert water quality person, independent from EPA or whatever other agency, to give them some advice, some data.

MR. MARTONI: John?

PRESIDENT DEFAZIO: Go ahead.

MR. MARTONI: I agree with Jack. I didn't hear anything that was a legal issue tonight.

MR. ELLENBOGEN: That's what I'm saying.

MR. MARTONI: What I heard is issues of health ---

MR. ELLENBOGEN: Safety.

MR. MARTONI: --- welfare. Let's give that a lot of thought. Let's don't do a knee jerk reaction to that tonight. I really think --- of course, I don't want our lawyer friends to get mad at me, but I really think we have too many lawyers sometimes in different things we do; okay. And these guys are great. They're all wonderful to have. Don't take this personal, none of you guys. But they could always tell you why you shouldn't do something. We better figure why we shouldn't do it ourselves. That's why the hell you guys were elected; okay? No reflection on lawyers, don't be offended, okay, but sometimes they can be a real pain in the neck. Okay?

PRESIDENT DEFAZIO: Go ahead.

MS. HEIDELBAUGH: Just like professors. But anyway, what I was going to say was, obviously, the issue is health and safety.

MR. MARTONI: Absolutely.

MS. HEIDELBAUGH: But there's also legal issues. We're entering into a long-term 20 or 30 year lease. I don't remember what the term of the lease is. So maybe everybody's issues here is whether they want to frack or not. My issue might be, it's just not a good lease. I might vote no because it's not a good lease. They didn't negotiate the lease correctly. That was Barbara Daly Danko's problem with the airport lease. Okay? So yeah, to quote Mr. Robinson again, everybody's going to do what they're going to do. But just when we're up here, we can't say that the other person's concern isn't legitimate. This is a complicated lease. Lots of us have questions about it. It's a very technical lease. So it's important.

PRESIDENT DEFAZIO: Okay. Sue, and then Jan.

MS. MEANS: Well, Mr. President, I would like to ask you to put this into a committee, so we could just continue the discussion further at another time.

PRESIDENT DEFAZIO: Jan?

MS. REA: Then that's fine.

MR. FUTULES: What did she say?

PRESIDENT DEFAZIO: She wants to put it in committee.

MR. FUTULES: That sounds like a brilliant idea.

MR. MARTONI: I agree.

MR. CAMBEST: Then have a vote and put it on the agenda. You have a motion, second. You need to vote to put it on the agenda.

MR. FUTULES: Quite frankly, you know, we haven't even started the committee process yet to decide whether we should get this attorney because when you start asking these questions, like I said, if they can't answer these questions, that's when you the outside attorneys come in, so ---. If she wants to send it to committee, I think we should end the conversation.

MS. MEANS: Okay. Well, I have one motion.

MR. CAMBEST: Yeah, you had a motion and Ms. Heidelbaugh seconded the motion.

MR. CATANESE: We need to vote to put it on the agenda.

PRESIDENT DEFAZIO: All right. What was your motion?

MS. MEANS: I would like to put it in committee to continue the discussion.

MS. HEIDELBAUGH: And put it on the agenda, so ---.

MS. MEANS: Put it on the agenda.

MR. FINNERTY: I second it.

PRESIDENT DEFAZIO: Second. Other remarks? No remarks.

MR. CATANESE: Can I just read the caption before we put it on?

PRESIDENT DEFAZIO: Go ahead.

MR. CATANESE: Okay. It's a motion of Council of Allegheny County authorizing the hiring of legal counsel in order to conduct an independent legal review and analyze the proposed lease for the county's interest in the oil, natural gas and other hydrocarbons from all formations deeper than 650 feet above the Tully Formation underlying Deer Lakes Park.

PRESIDENT DEFAZIO: Okay. There's a motion on the floor. All those in favor of putting it on the agenda and then we're going to --- all right.

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it. Okay. Yeah. We're going to send it to committee.

MS. HEIDELBAUGH: What committee?

MS. MEANS: What committee?

PRESIDENT DEFAZIO: That would be, probably, Government Reform.

MR. FUTULES: We'd love to send it to parks.

MS. MEANS: And when is the meeting going to be?

PRESIDENT DEFAZIO: Okay. Let me ask you a question. Am I out of order?

MR. FUTULES: No, you're the president.

PRESIDENT DEFAZIO: What do you think? What do you think? What do you think? What do you think?

MR. ELLENBOGEN: I think we should send it to public safety.

PRESIDENT DEFAZIO: Is it my job to put it ---? When they make sense and I think they're right, I go along with it. But everybody's got an opinion and everyone isn't always right.

MS. MEANS: Mr. President?

PRESIDENT DEFAZIO: Yeah.

MS. MEANS: So you're going to put it Government ---

MR. CATANESE: Reform.

MS. MEANS: --- Reform?

PRESIDENT DEFAZIO: Yeah.

MS. MEANS: When are you going to meet, because I --- you know, I have only been here since November. We have yet to have one Government Reform meeting. I don't want it to go there and die, respectfully.

PRESIDENT DEFAZIO: We'll have it.

MS. MEANS: When? It will have to be soon.

PRESIDENT DEFAZIO: I've got to look for a calendar.

MS. MEANS: All right. Thank you.

PRESIDENT DEFAZIO: We can't have it in June. It would be too late. Okay. Go ahead, Jan.

MS. REA: Mr. President, all I want to say is if we delay looking at the issue and determining if that's what we're going to do, then the whole process is delayed. So it's better that it even go to the Parks Committee meeting, which is meeting tomorrow night, we could discuss it tomorrow night, but if you delay it, then --- or delay Mr. Ellenbogen's suggestion, too, everything is delayed.

MR. FUTULES: Can't do it tomorrow. It has to be advertised.

MS. REA: Okay. Well, I would just hope we just don't delay it --- to be delayed.

PRESIDENT DEFAZIO: Public Comment? There's no one on public comment. Could someone make ---?

MR. MACEY: I make a motion to adjourn.

PRESIDENT DEFAZIO: Does anybody second that?

MR. FINNERTY: I second it.

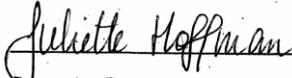
PRESIDENT DEFAZIO: Other remarks? Seeing none,
all those in favor, signify by saying aye.
(Chorus of ayes.)

PRESIDENT DEFAZIO: The ayes have it.

MEETING CONCLUDED AT 10:13 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