

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

John P. DeFazio	-	President, Council-At-Large
Nicholas Futules	-	Vice President, District 7
Heather S. Heidelbaugh	-	Council-At-Large
Thomas Baker	-	District 1
Jan Rea	-	District 2
Edward Kress	-	District 3
Michael J. Finnerty	-	District 4
Sue Means	-	District 5
John F. Palmiere	-	District 6
Dr. Charles J. Martoni	-	District 8
Robert J. Macey	-	District 9
William Russell Robinson	-	District 10
Barbara Daly Danko	-	District 11 (Via Telephone)
James Ellenbogen	-	District 12
Amanda Green Hawkins	-	District 13

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

Tuesday, April 22, 2014 - 5:01 p.m.

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

IN ATTENDANCE:

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

PRESIDENT DEFAZIO: The meeting will come to order. Will you all please rise for the Pledge of Allegiance to the Flag, and stay standing for silent prayer or reflection.

(Pledge of Allegiance to the Flag.)

PRESIDENT DEFAZIO: Remain standing.

(Silent prayer or reflection.)

PRESIDENT DEFAZIO: Thank you. 81 ---  
Proclamations and Certificates.

MR. CATANESE: We have to do the roll call.

PRESIDENT DEFAZIO: Oh, I'm sorry; roll call first.

MR. CATANESE: Mr. Baker?

MR. BAKER: Here.

MR. CATANESE: Ms. Danko?

(No response.)

MR. CATANESE: Mr. Ellenbogen?

(No response.)

MR. CATANESE: Mr. Finnerty?

(No response.)

MR. CATANESE: Mr. Futules?

MR. FUTULES: Here.

MR. CATANESE: Ms. Green Hawkins?

(No response.)

MR. CATANESE: Ms. Heidelbaugh?

(No response.)

MR. CATANESE: Mr. Kress?

MR. KRESS: Here.

MR. CATANESE: Mr. Macey?

MR. MACEY: Present.

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: Twelve (12) (sic) members currently present.

PRESIDENT DEFAZIO: Proclamations and Certificates. 8170-14.

MR. CATANESE: Proclamation honoring all forensic disciplines within the Forensic Laboratory of the Allegheny County Medical Examiner's Office, for receiving accreditation on March 17th, 2014, from the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB). Sponsored by Council members Ellenbogen, Baker, Danko, DeFazio, Finnerty, Futules, Green Hawkins, Heidelbaugh, Kress, Macey, Martoni, Means, Palmiere, Rea and Robinson.

PRESIDENT DEFAZIO: Okay. No one is coming to speak.

MR. ELLENBOGEN: Okay. We can move on.

PRESIDENT DEFAZIO: Okay. Let's move on to 8206-14.

MR. CATANESE: Proclamation honoring the Honorable John DeFazio, the Honorable Charles Martoni and Bill Cardille, for being inducted into Pittsburgh's Keystone State Wrestling Alliance (KSWA) Hall of Fame, Class of 2014. Sponsored by Council members Danko, Baker, Ellenbogen, Finnerty, Futules, Green Hawkins, Kress, Macey, Means, Palmiere, Rea and Robinson.

MR. ELLENBOGEN: Good evening, everyone. We're here to honor --- does this work?

MR. MARTONI: It's on.

MR. ELLENBOGEN: We're here to honor some --- I don't want to give your ages away, but I --- actually, you were like my idols, and I'm old, so you know, ---.

UNIDENTIFIED AUDIENCE MEMBER: Speak up.

MR. ELLENBOGEN: Speak up?

UNIDENTIFIED AUDIENCE MEMBER: Yeah, please.

MR. ELLENBOGEN: What you don't know is this Council is a bunch of --- we're all old ex-jocks, but these guys were more famous, and we're here to honor them for --- wait a minute. You guys --- excuse me. Pardon us, folks. There's kind of a mishap here.

PRESIDENT DEFAZIO: Does anybody ---?

MR. FUTULES: You've got the wrong one. Put them off until the next meeting.

MR. ELLENBOGEN: Rather embarrassing, I must say.

PRESIDENT DEFAZIO: The Keystone Cops are at it again.

MR. FUTULES: Right.

PRESIDENT DEFAZIO: Do we have any ---? We'll have to do it at ---. Let me go ask City Council across the street.

MR. ELLENBOGEN: That's why you guys asked me to do this, huh? Bill, are you doing the shell thing? Okay. You know, you're always --- what you're making me look like tonight. Okay. Folks, I think we're okay now. Well, we have two famous wrestlers here who were inducted into the KSWA Hall of Fame, Class of 2014. For those of you who are young enough to remember Jumpin' Johnny DeFazio in his heyday and Cannonball Chuck Martoni, as they were well known ---. So I'd like to read a little proc, and unfortunately, Chilly Billy Cardille is not here today. I was going to bust his chops a little bit myself, but anyway, that being said, congratulations, gentlemen. I watch you guys here. Right now, Izzy ---.

(Applause.)

MR. ELLENBOGEN: Izzy Moydell is looking down on you. And just so you know, these guys are still pulling ink and pencil sharpenings out of them. George "The Animal" Steele used to stab them when they were wrestling him. That's a little inside thing that folks didn't know. That being said, WHEREAS, on March 29, 2014, Jumpin' Johnny DeFazio and Cannonball Chuck Martoni and Chilly Bill Cardille, were inducted into Pittsburgh's Keystone State Wrestling Alliance (KSWA) Hall of Fame, Class of 2014; and

WHEREAS, one of Pittsburgh's original high flyers, powerhouse Jumpin' Johnny is a four-time worldwide Wrestling Federation World Junior Heavyweight Champion. He has the distinction of being only the second person to hold that title, when he bested Paul Degallas. He would win that championship three more times and one Tag Team Championship before retiring in 1972; and

WHEREAS, Dr. Martoni, who wrestled as Cannonball and The Masked Marvel, entertained Pittsburgh audiences in 90 minutes of unorganized mayhem, featured the greatest wrestlers in the world. Dr. Martoni wrestled Frank "Carnegie Cop" Holtz, Pedro Morales and many others before retiring from wrestling in 1971; and

WHEREAS, Chilly Bill Cardille was the first voice ever heard on WIIC-TV, Channel 11 --- there was only three channels --- and only the second person to announce Studio Wrestling, starting in 1961. He quickly became a Saturday night institution, broadcasting Studio Wrestling

until it went off the air in 1974. Bill would also entertain generations with Chiller Theater and helped raise millions of dollars for Jerry Lewis Muscular Dystrophy Telethon.

NOW, THEREFORE, BE IT RESOLVED, that Allegheny County Council does hereby congratulate the Honorable John P. DeFazio, the Honorable Charles J. Martoni and Bill Cardille, for being inducted in the Keystone State Wrestling Alliance Hall of Fame, Class of 2014. We thank each of them for inspiring countless fans through their hard work, determination and Pittsburgh savvy. Sponsored by Allegheny County Council and presented this 22nd day of April, 2014. And just as a small note, if you'll notice, the last two presidents of Council were them, so that's how we really elect the president of Council. It's usually the toughest guy on the block, you know, so ---. So with that, I'm going to let both of them say a few words.

PRESIDENT DEFAZIO: Okay. Before I invite you guys up from the Keystone Alliance, let me say this real quick. Bill Cardille couldn't make it here. Bill Cardille was the one that gave me my nickname. Most nicknames of the wrestlers that started around here, he gave them all the nicknames, Bill Cardille. He did a heck of a job. And Izzy Moydell, you mentioned Izzy Moydell. People don't know Izzy Moydell was one of two people that ever beat Rocky Marciano as a boxer, as an amateur. Izzy Moydell was a tough guy. I know he acted a little stupid and that, but Izzy Moydell was a pretty tough guy. So I just wanted to say that. And before I say anymore, I'd like you guys from the Keystone --- do you guys want to come up and say a few words, any of you guys?

MR. LETURGEY: Hi everybody. My name is Trapper Tom Leturgey. I'm the ring announcer for Pittsburgh's Pro Wrestling Organization, the KSWA. And we are very honored. We tried for a long time to be able to get Jumping Johnny DeFazio and Chuck Martoni to the KSWA arena, and we were able to do that, along with Chilly Billy Cardille last month. And it has been a great honor to have these guys. We have honored all or most of the great studio wrestling stars of the past at the KSWA. I'm going to just welcome some of my cohorts here today, but check us out at [kswa.net](http://kswa.net). We're going to be around for a long time. It's our 14th year, and we're just honored to be here. Thanks, again, gentlemen.

PRESIDENT DEFAZIO: Thank you.

MR. LETURGEY: This is the owner of the KSWA,  
Bobby O.

BOBBY O: I just want to echo Trapper's sentiments. We are honored to have you guys in our Class of 2014. We've honored many great studio wrestlers; Dominic DeNucci, from Italy but we consider him a Pittsburgher. Some guy named Bruno was in our Hall of Fame, too; Bruno Sammartino. We are based in Lawrenceville, so we consider ourselves Pittsburgh's professional wrestling organization. We're honored to walk in the footsteps of Mr. DeFazio, Dr. Martoni, all those guys before us, so it's an honor to have these guys in the Hall of Fame. It's an honor to be associated with folks such as these. And it's just great to be here, so thank you very much for having us for the proclamation. Thank you, guys, and congratulations again on the Hall of Fame.

(Applause.)

PRESIDENT DEFAZIO: Chuck, do you want to say anything? Okay. All right. Thank you very much. Oh, wait, you guys, they'll take a picture. We'll put you in the Hall of Fame of Allegheny County.

BOBBY O: We got to hurry up. We got 27 seconds left here on our fillibuster.

PRESIDENT DEFAZIO: We're time exempt from that.

MR. LETURGEY: One thing real quick I forgot. Everybody that sponsored the proclamation, there's a little thank you card from the KSWA. Thank you.

(Pictures taken.)

PRESIDENT DEFAZIO: Joe, we're going to go back to 8170-14.

MR. CATANESE: Proclamation honoring all forensic disciplines within the Forensic Laboratory of the Allegheny County Medical Examiner's Office, for receiving accreditation on March 17, 2014, from the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB). Sponsored by Council members Ellenbogen, Baker, Danko, DeFazio, Finnerty, Futules, Green Hawkins, Heidelbaugh, Kress, Macey, Martoni, Means, Palmiere, Rea and Robinson.

MR. ELLENBOGEN: Yes, I'm back. If I ask the audience, how many --- what do you like, your favorite shows, CSI: Miami, CSI: New York, CSI: Vegas, Bones, NCIS ---? I know you girls like the NCIS, all them hot

young guys, New York, whatever, but those are the shows. But you guys never like met the Pittsburgh version of, like, Horatio; you know, the guy who drives the Hummer and wears the sunglasses and is, like, real cool and --- well, that would be Dr. Karl Williams. He's that guy, and I told him today --- I says, you're going to come up here looking like a doctor. Why don't you dress like you do like when you're like all that? That's the best I could do. But anyway, I'd like to congratulate Dr. Williams and his staff, and I'm going to read this proclamation for the honor that --- and accreditation from the American Society of Crime Laboratory Directors. And I did watch NCIS last night myself, but it's given me a different ---. See, I like to call him on the phone and ask him like what stuff's really real and what's not, you know, so ---. That being said, WHEREAS, on March 17, 2014, the American Society of Crime Laboratory Directors/Laboratory Accreditation Board, the ASL --- the ASCLD/LAB;

WHEREAS, the Allegheny County Office of the Medical Examiner, Forensic Laboratory Accreditation, for a period of five years; and

WHEREAS, the scope of accreditation includes all forensic disciplines within the Allegheny County Office of the Medical Examiner Forensic Laboratory, including the following: the drug chemistry section annually fields 6,000 cases of suspected controlled substances, mostly involving cocaine-based crack, heroin and marijuana. Drug chemists have become active in the investigation and seizure of surreptitious drug labs in the area. Their responsibilities include dismantling the labs and securing evidence for further analysis. They're also responsible for running various presumptive tests to figure out what drug they're dealing with, as well as gas chroma --- how do you say that word?

DR. WILLIAMS: Chromatography.

MR. ELLENBOGEN: What do you got to put all these like words in here that I wouldn't know --- chromatography/mass spectro --- boy, here's another one.

DR. WILLIAMS: Spectrometry.

MR. ELLENBOGEN: Wow, spectrometry and Fourier transform infrared spectroscopy --- do your colleagues know what the hell I'm reading --- wow --- to further identify which substances make up the suspected narcotic. In mid-January, a batch of heroin laced with Fentanyl, a synthetic opioid 100 times more potent than morphine, hit

Allegheny County hard, resulting in more than 13 overdoses in less than a week. Within 24 hours, they were not only able to determine that Fentanyl was, indeed, the added component in the heroin, but determined the stamped bags labeled Theraflu and Bud Ice were associated with the deadly concoction.

Processing over 1,500 medical examiner's cases, as well as over 2,500 DUI cases each year, the toxicology section of the Medical Examiner's office is responsible for providing postmortem forensic toxicology, as well as human performance forensic toxicology, using state-of-the-art technology, immunoassays, high pressure liquid chromatography, chromatography/mass spectrometry. The toxicologist tests fluids and tissues for narcotics, lack of narcotics, volatile substances, gases and heavy metals. Their work is vital in understanding the causes of death, as well as abuse of various substances. This division was instrumental in determining that the rash of overdose deaths in January were attributed to the heroin-laced Fentanyl. It has the distinction of being the first and only forensic toxicology laboratory accredited to ISO/IEC --- I want to know how many people know what this means --- 17025:2005 standards in Pennsylvania.

The forensic biology section performs serological and DNA analysis on physiological fluids and other nucleated cellular material, like blood, semen, saliva, tissue and touch items collected from what are usually used in violent crimes. This section provides investigative leads through the interpretation of DNA profiles that can result in the identification or elimination of suspects. This division is the Combined DNA Index System, C-O-D-I-S, participant, and can utilize the the, C-O-D-I-S, network for additional leads, implementing the automated fingerprint identification system. The latent print section is responsible for obtaining lab impressions of values, fingerprints, palm prints, finger joint impressions. These prints are then compared to known or in compressions (sic) of a known suspect when examined for specific characterizations for the purpose of identification.

Two of the nine certified international association of identification latent print examiners in Pennsylvania are employed in this section. Additionally, this section had the first female certified latent print

examiner in Pennsylvania. So that's it. There'll be a quiz on Monday. But anyways, this is Dr. Karl Williams, who is our Horatio from CSI: Miami. Doctor, congratulations.

(Applause.)

DR. WILLIAMS: Thank you very much, Jim. So when is the Council going to give me my Humvee? Is that in a purchase order somewhere? I'll provide the sunglasses.

MR. FUTULES: All right. I'll get you one.

MR. ELLENBOGEN: Now he'll get to play doctor.

DR. WILLIAMS: No. I'm deeply grateful to Councilman Ellenbogen and the other people for sponsoring this proclamation. We sometimes think that despite the CSI world, that we live in a much more interesting world, that we're not truly appreciated for what we do. The scientists --- and they are scientists, okay, they require a full year of in-house training before they are even able to go out into court and testify as scientists. Our extraordinarily professional, dedicated group has testified by the fact that we receive the highest possible level of certification, really, in the world for the efforts that we're able to put forth. Okay?

We get over 15,000 separate pieces of crime evidence a year. From the time someone brings it into our office, we have to maintain an absolutely strict chain of custody through every state of analysis of that, all of the analytic, all of the accessioning, all of the chain of custody, is all subject to examination by the accrediting board, and we passed those certifications as this acknowledges. So there are a lot of people to thank for that. First of all, the individual scientists, the 35 or so of them, are all extraordinarily dedicated to what they do. But they needed support.

The support starts with the county. It starts with Mr. Fitzgerald, it starts with Rilly McKade (phonetic), who provide us with the resources to do that? But after that comes an additional dedicated group of managers. The managers are all extraordinary scientists in their own right, but they also have managerial skills that allow them to not only see what the individual scientists in their sections are doing, but to work with me, with the director of the laboratory, to go forward to bring this operation to levels that really can't be seen anywhere else in the country. And the Fentanyl example is

a perfect case of that. Because in Allegheny County you have to do the death scene investigations in the same building with scientists, we were able to detect that we were seeing overdoses, and literally within days of detecting it, know that Fentanyl was involved. In almost every other jurisdiction, especially in the Commonwealth, the evidence would go out to a state police laboratory. The toxicology from the bodies would go to a separate toxicology laboratory. It would be weeks, literally, before somebody knew what was happening in that individual death. The people in my operation were able to provide to the DEA, the county police, the city police, a real time analysis of what was going on, that we updated literally on a daily basis. So as he said, we knew generally --- the stamped bags are little glassine envelopes that the drugs come in. They all have stamped something on them, some name on them. There are dozens and dozens of them out there. We were able to say look in those stamped bags that are stamped Theraflu. Look in those stamped bags that are labeled Bud Ice. It's not in the other stuff. No other place in the country has the ability to do that. And we're going to write that up. We're going to continue to see if we can't continue to find resources to do that. Okay.

That's because of the sensitivity of the individual workers, and it's because of the managers and managerial staff. I have two people that I brought down with me I'd like to introduce you to. The first is Bob. Bob Huston is the overall manager of laboratories; okay? He was my hand choice some five or six years ago, right after I came in. He is essential to me and the operation, to be able to continually think outside the box of what to do next, how to take the resources that we're provided with in Allegheny County to do levels that we've been able to do. The second person is Blythe Toma. Blythe Toma is my quality assurance manager. There is a quality assurance manager in every lab. They are, I have to say, one of the most disliked groups of people, because she is responsible for looking at the standards.

She is responsible for examining everything that goes on in the laboratory to make sure that it is up to the accreditation standards that are demanded at the laboratory, both key people in the operation, in addition to the other managers of every individual section.

Bob, can you say a couple words?

MR. HUSTON: I don't have anything.

DR. WILLIAMS: Nothing more to say? Blythe, nothing more to say? All right. At any rate, thank you very much, Jim. I'm deeply appreciative.

(Applause.)

MR. ELLENBOGEN: All kidding aside, this is where, you know, crime prevention and crime solving is all in the future. And we're very lucky to have the caliber of Dr. Williams and his staff, who are tremendous in assisting our police departments in the solving of these things. Dr. Williams is kind of a modest guy. I wanted to tell you just how lucky we are, that he's accredited with developing a system where they can reap organ donors' organs without disturbing crime evidence, which is a huge find. Like I said, you know, we're lucky to have Dr. Williams and his staff here and most ---. Just like I told him, most people don't get to shake hands with these people while they can still shake hands back; so with that, thank you.

(Applause.)

(Pictures taken.)

PRESIDENT DEFAZIO: 8207-14.

MR. CATANESE: Let the record show that Councilwoman Heidelbaugh and Councilwoman Green Hawkins are present. Proclamation recognizing Reverend Glenn G. Grayson, of the Hill District's Wesley Center AME Zion Church, for being honored by the White House as a Champion of Change. Sponsored by Council members Green Hawkins, Robinson, Danko, DeFazio, Ellenbogen, Finnerty, Futules, Heidelbaugh, Macey, Means, Palmiere and Rea.

MS. GREEN HAWKINS: Mr. President, I don't see Reverend Grayson here. I don't think he's here yet. Do you want to hold this?

PRESIDENT DEFAZIO: Yeah.

MS. GREEN HAWKINS: Thank you.

PRESIDENT DEFAZIO: Go ahead. Let's go to 8208-14.

MR. CATANESE: Certificate of Achievement awarded to the Brookline Regional Catholic School girls' basketball team, for winning the 2014 Girls' Junior Varsity Diocesan Championship. Sponsored by Council members Heidelbaugh, Green Hawkins, Means, Rea, Councilman Ellenbogen and the County Controller.

MS. HEIDELBAUGH: Is the County Controller here yet?

PRESIDENT DEFAZIO: He's right over there.

MS. HEIDELBAUGH: Can I have every girl who plays basketball at Brookline Regional Catholic just come right up here next to me?

(Applause.)

MS. HEIDELBAUGH: I want to thank the Controller for bringing to my attention the unbelievable athleticism of these girls, because if she had not told me about this, I may have missed it. And I'm so honored and happy that you are here with us, so that we can see your bright, shining faces. Girls can do anything.

(Applause.)

MS. HEIDELBAUGH: They can run for office. They can do numbers. They can be president of the United States, and they can win basketball championships, like you did. So let me read this proclamation, then each one of you are going to receive a certificate. Who's the captain? Are you the leader of the team?

MS. HUDSON: Well, me and Sarah.

MS. HEIDELBAUGH: Two captains? Stand a little closer to me. Okay. All right. I want to read this.

WHEREAS, since 1996, Brookline Regional Catholic School provides a faith-based education to students from St. Pius X, Resurrection and Our Lady of Loreto, as well as the surrounding areas; and

WHEREAS, the basketball tradition at Resurrection and Our Lady of Loreto is legendary. These schools produced numerous diocesan and state champions, as well as Olympic Gold Medalist Suzie McConnell Serio. Do you think you're going to be as famous as her?

MS. HUDSON: I hope.

MS. HEIDELBAUGH: I hope.

And WHEREAS, since the schools' 1996 merger, no BRC team in any sport --- no one in any sport has won a diocesan championship until this year, and your girls' junior varsity basketball team swept through the competition and finished as the first undefeated Class B diocesan championship in their entire school's history; yes.

(Applause.)

MS. HEIDELBAUGH: You swept your opponents, Saint Anne's, McDonald Regional, JFK, Holy Child, Saint Sylvester's. You played a rigorous, non-section schedule over Class A diocesan and public schools. Your team wins over Holy Trinity and others. You won over perennial

powerhouse, St. Gabe's, and also, you were the Class A champion over St. Boniface. So now here comes the important one. Ready?

NOW, THEREFORE, BE IT RESOLVED, that this entire Allegheny County Council does hereby congratulate the 2014 Brookline Regional Catholic School girls' junior varsity basketball team, for winning the 2014 Pittsburgh Class B diocesan girls' basketball championship. The team is a positive example of excellence for all of Allegheny County, for all girls, and you are continuing evidence that this is the County of Champions. Thank you.

(Applause.)

MS. HEIDELBAUGH: Are you proud of your team?

MS. HUDSON: Yes.

MS. HEIDELBAUGH: And who are your parents?

MS. HUDSON: Them (indicating).

MS. HEIDELBAUGH: All these nice people out here that helped you win?

MS. HUDSON: Yes.

MS. HEIDELBAUGH: Okay. Come over here. Do you study hard?

MS. MERLINA: Maybe.

MS. HEIDELBAUGH: Can you do some other great things in Allegheny County and come back when you're adults? We'll give you proclamations for the other great things you do for Allegheny County. Could you be here?

MS. MERLINA: We'll be here next year.

MS. HEIDELBAUGH: She'll be here next year.

Thank you all very much.

(Applause.)

MS. HEIDELBAUGH: Say your name.

MS. MERLINA: Sarah.

MS. HUDSON: Vanessa.

MS. HEIDELBAUGH: Say your first and last name.

MS. SANTORA: Amanda Santora.

MS. CHATHAM: Samantha Chatham.

MS. KALANISH: Kendall Kalanish.

MS. CARR: Sydney Carr.

MS. WILSON: Maggie Wilson.

MS. MEADOR: Emily Meador.

MS. NEIPOINT: Maleah Neipoint.

MS. BERNOTAS: Alexia Bernotas.

MS. FACCHIANO: Gianna Facchiano.

MS. HEIDELBAUGH: All right. Go over and get your pictures taken.

(Applause.)

(Pictures taken.)

PRESIDENT DEFAZIO: 8209-14.

MR. CATANESE: Proclamation honoring in memoriam, James V. Cunningham, Sr., for his professional excellence and contributions as a professor of the University of Pittsburgh's Graduate School of Social Work. Sponsored by Councilman Robinson.

MR. ROBINSON: Thank you, Mr. President, and members of Council. As I've often said, we have a lot of distinguished people who have gone on to glory, who did a lot to put us in a position today to have a very livable county, governments that function, notwithstanding disagreement or contention, people who have worked behind the scenes, people who have gone in many instances unrecognized and not honored. This very form of government that we serve here in Allegheny County was blessed with the wisdom, the advice and the help of Dr. James V. Cunningham, Sr. I had the pleasure to work with Dr. Cunningham when I was a member of Pittsburgh City Council. I always respected his insight, his straightforwardness. And if you knew Jim, he never talked loud, a trait I haven't perfected.

Jim was very opinionated, also a trait that I have perfected. But Jim was a great asset to this community. His passing has left a void; but knowing Jim, he would just tell us to keep on going. He worked hard and long to put in place the form of government we now have in this county. Somewhere in the records you'll see the name Dr. James V. Cunningham, Sr. Jim worked many years at the University of Pittsburgh, and some of my colleagues here know --- knew him and remember his contributions. I'm sure you had many engaging conversations with him.

And it's out of respect to Jim's family and to his memory, that I ask you to join me in honoring him this evening. And I'd like to note that Mr. and Mrs. Paul and Debbie Cunningham ---

MR. CUNNINGHAM: Steve.

MR. ROBINSON: Steve. I'm sorry. I'm as bad as Jim Ellenbogen. And Paul is one of Jim's eight sons.

MR. CUNNINGHAM: Right.

MR. ROBINSON: Okay. Now ---.

MR. FINNERTY: I'd like to co-sponsor that.

MR. ROBINSON: Okay. If any members of Council would like to co-sponsor, if you'd be kind enough to let Mr. Catanese know, we'll make sure this information is provided to the appropriate people; certainly, to the Cunningham family. Once I read this proclamation, I'm going to ask those who are present standing with me, to identify themselves, and then we can get our appropriate picture. And Jim Cunningham will be a part of the permanent history of this county for years to come.

WHEREAS, James V. Cunningham, Sr., a respected professor at the University of Pittsburgh and the Graduate School of Social Work, passed away from this life on March 28th, 2014, at the age of 91; and

WHEREAS, during World War II, Mr. Cunningham joined the U.S. Navy, where he served as a supply payroll officer on the DD-877 U.S.S. Perkins, which entered Tokyo Bay on September 2nd, 1945, when the Japanese surrendered. Before joining the Navy, Mr. Cunningham earned both an undergraduate and graduate degree from the University of Notre Dame. In 1969, he earned his Ph.D. from the University of Pittsburgh; and

WHEREAS, Mr. Cunningham was instrumental in forming the Pittsburgh Neighborhood Alliance, which advocated for local citizens in Homewood, East Liberty, Oakland and Shadyside. His passion led him to a 40-plus year career as a professional in teaching and writing about community organization and urban neighborhood development at the University of Pittsburgh Graduate School of Social Work;

WHEREAS, Mr. Cunningham served as the Democratic Party's ward chairman of Pittsburgh's Seventh Ward, Shadyside, for 15 years, in the 1970s and 1980s, and ran for City Council in 1971. Some of you may remember that campaign. That was a wild one. In addition, he was the executive director of the City of Pittsburgh's Home Rule Government Study Commission; led to the adoption of the City Home Rule Charter in 1974; and

WHEREAS, during the Civil Rights Movement of the '60s, Mr. Cunningham had the honor of marching with Dr. Reverend Martin Luther King, Jr., in Selma, Alabama. He was an active founding member of the Race and Reconciliation Dialogue Group of Saint Paul's Catholic Parish and served as a volunteer with the Living Wage Campaign for the Pittsburgh region.

NOW, THEREFORE, BE IT RESOLVED, that Allegheny County does hereby honor in memoriam, James V. Cunningham, Sr., for his professional excellence and contributions to our community. Mr. Cunningham's legacy of commitment to diversity and reduction of racism in Pittsburgh and Allegheny County, served as an inspiration to all of us. Sponsored by myself, William Russell Robinson, and other members of this council, on the 22nd day of May (sic), 2014. We were blessed to have Jim and his family in our midst. His work goes uncompleted, but as Jim would probably say, just keep on going; keep working hard. Those of you who never had the opportunity to work with or know Jim Cunningham, you've missed an experience; you really did.

And those who loved him and cared about him, I'm sure are smiling today, as is Jim up in Heaven, that we honored him as we passed along this way. At this point, I'm going to ask members of the Cunningham family and friends, if they would come forward. They may have a few words for us, and I'll ask them to please introduce themselves.

MR. CUNNINGHAM: Steve Cunningham. My dad was a great man. It's going to be hard. We miss him.

MR. CUNNINGHAM: I'm Paul Cunningham.

MS. CUNNINGHAM: Hi. I'm Debbie Cunningham, married to Paul. And Steve is the sixth child, Paul is the eighth child, of a family of ten. I can tell you that I've only had the pleasure of knowing Jim for about the last third of his life. But he probably accomplished more during that last third of his life --- from a community, from a faith and from the School of Pittsburgh perspective --- than most people do in their lifetime. So we very much appreciate the award. More family members were, unfortunately, unable to come and join us here today. And probably, what he would tell us at this point, is move on with it because we have Pirate tickets for the game tonight.

MR. ROBINSON: I forgot. Jim was a big Pirate fan.

(Applause.)

(Pictures taken.)

PRESIDENT DEFAZIO: Okay. All these other ones will be read into the record, starting with 8118-14.

MR. CATANESE: Proclamation honoring in memoriam, M.J. Tocci, for her professional excellence,

mentorship and contributions to the Greater Pittsburgh and Allegheny County. Sponsored by Councilwoman Heidelbaugh.

8213-14. Certificate of Achievement awarded to Austin Wayne Reese, of Boy Scout Troop 181, for earning the rank of Eagle Scout. Sponsored by Council member Baker.

8214-14. Proclamation recognizing Women Rock, scheduled for April 24th, 2014, at Grey Box Theatre, to celebrate the women of Dress for Success Pittsburgh and Lawrenceville, for their contributions to the community. Sponsored by Council members Baker and Green Hawkins.

8515-14. Proclamation naming April 28th, 2014, as Workers Memorial Day in Allegheny County. Sponsored by Council member DeFazio.

MR. FINNERTY: I'd like to co-sponsor that.

MR. KRESS: Yeah, Joe, I'd like to co-sponsor that, too.

MR. MACEY: Joe ---.

MR. ELLENBOGEN: Me, too, Joe.

MR. FUTULES: Yeah, sure.

MR. CATANESE: 8216-14. Certificate of Recognition awarded to Ms. Mary Carlson, upon the occasion of her 103rd birthday. Sponsored by Council member Finnerty.

8217-14. Proclamation thanking the Honorable Thomas Sray, for his many years of dedicated service to South Fayette Township. Sponsored by Council member Finnerty.

8218-14. Certificate of Achievement awarded to Maria Lohman, of Chartiers Valley High School, for winning her second straight PIAA girls' diving championship. Sponsored by Council member Finnerty.

8219-14. Proclamation declaring April 2014 as Child Abuse Prevention Month in Allegheny County and recognizing A Child's Place at Mercy, for providing abused children in this region and dedicated and caring service and support. Sponsored by Council members Macey, Baker, Danko, DeFazio, Ellenbogen, Finnerty, Futules, Green Hawkins, Heidelbaugh, Kress, Martoni, Means, Palmiere, Rea and Robinson.

8220-14. Certificate of Achievement awarded to Cody Joshua Miller, of Boy Scout Troop 99, for earning the rank of Eagle Scout. Sponsored by Council member Macey.

8221-14. Certificate of Recognition presented to Ms. Barbara A. Pollard and Ms. Toni Rust for their many

years of dedicated service to the Allegheny County Department of Human Services, Office of Behavioral Health. Sponsored by Council member Palmiere.

PRESIDENT DEFAZIO: We now have public comment. And before we start, I want to know if anybody wants to make a motion.

MR. MACEY: Mr. President and members of Council, I'd like to make a motion that we change the Rules of Council to allow the first six people to speak on the agenda topics, as well as the Honorable Congressman Tim Murphy and the Honorable Bill Kortz.

PRESIDENT DEFAZIO: Is there a second?

MR. FINNERTY: Second.

PRESIDENT DEFAZIO: Second. Okay. Any comment? Seeing none, all those in favor signify by saying aye? (Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it. All right. Let's do it. Let's start with the Honorable Tim Murphy first then.

MS. HEIDELBAUGH: I just briefly want to introduce the Congressman. I asked Congressman Murphy to come here today. He has introduced legislation which I think is important. He introduced legislation in December, a landmark mental health reform legislation. And we all struggle mightily with the expenditures for the jail and the county at \$71,000,000. And so he's here today to talk to us a little bit about his mental health legislation, his federal legislation, the work that he's done over the past year. As you know, he represents the 18th Congressional District. So thank you very much, Congressman, for coming and explaining this to us.

CONGRESSMAN MURPHY: Thank you. Mr. President, members of Council, thank you for allowing me to present some information before you. In December, I introduced the Helping Families in Mental Health Crisis Act, H.R. 3717. This bill follows a year-long investigation that I held under my sub-committee of oversight and investigation on the mental health issues that our nation faces. Unfortunately, I'm sadly motivated to get members of Congress to work on this by the tragedies that we saw at Sandy Hook and the Navy yard, and the list goes on and on. And unfortunately, we have far too many in our region here in southwestern Pennsylvania. But the outcome of that year-long investigation showed our country actually can do

much more and has a number of various --- but we're just not doing enough with regard to mental health.

Since the 1950s, when we had 550,000 psychiatric hospital beds in this country and a population of about 150 million, those hospitals have virtually closed throughout much of America. And now we have about 40,000 psychiatric hospital beds, hardly enough to deal with the kind of psychiatric emergencies we may have. Further, what was supposed to have taken over those many community health centers, community mental health centers, they have been strained to the limits, and we simply do not have enough psychiatrists, psychologists, clinical social workers and others working.

Further, we've seen tremendous research opportunities begin, but we need more in the areas of brain research, working in areas of medication, peer support models, recovery models. And so what this bill does is it really reorganizes what our nation is doing. It corrects a couple major areas; that Medicaid, for example, doesn't pay for two doctor visits in the same day. What a shame if a pediatrician identifies a young child or teenager or something beginning to show signs of severe mental illness can't refer them to a psychiatrist the same day. We also correct a problem with Medicare which says they won't pay if there's more than 16 hospital beds. And again, if somebody has private health insurance, they can access that. We want to make that same opportunity available for people with low income.

We do much more in this, in terms of clarifying some of the rules on confidentiality, and also will provide some training grants for police departments. It's helping deal with mental health/mental illness. One of the reasons this is so important at a county level, as Councilman Heidelbaugh mentioned, the amount of money spent on jails. When I talk about those hospitals closing in the 1950s, what we saw concurrently increase was people in jail. Now, between 30 and 50 percent of those who were incarcerated in municipal, county, state jails, are mentally ill. In many cases, it is sad. Once those crimes appear, they need to serve their time, but as they emerged from those, unfortunately, we also found in many cities in America, people are into this revolving door, and they're not getting the treatment they need. So I hope you will take a look at this. I hope if you have questions, you'll contact me directly. I'd be more than

happy to answer the questions you have. We're pleased that papers like the Post-Gazette, the Washington Post, the Wall Street Journal and several of the newspapers around America have endorsed this. It has wide bipartisan support of over 70 members, Democrats or Republicans, in Congress, working in this. We continue to be a team working together. We know it's a serious problem for our communities. I know all of you care deeply about this. We're all touched by it, and we want to continue to deal with it, so with that, thank you so much for your time. I don't know if you have any questions for me, but ---. Yes?

MR. ELLENBOGEN: I just wanted to say that I think it's important for people to know you're just not a congressman. Before you were a congressman, you are a psychologist and, you know, you understand the field and what you're talking about. And I think that's important for people to know.

CONGRESSMAN MURPHY: Yeah. Actually, I'm the only practicing professional in the field in the entire elective federal government. So when I have a caucus meeting, it's easy for us to get together.

MR. ELLENBOGEN: Right. You could make a great book, though.

CONGRESSMAN MURPHY: Right. I still practice. Well, I wrote the book, Angry Child, so that may be about it. But I still practice. Now I'm in the Navy, so I do it there, so ---. Anything else? Thank you so much, Mr. President. I appreciate it, Council.

PRESIDENT DEFAZIO: Okay. Thank you.

CONGRESSMAN MURPHY: Thank you.

(Applause.)

PRESIDENT DEFAZIO: Okay. Next, we have the Honorable Bill Kortz.

REPRESENTATIVE KORTZ: Thank you, Mr. President. If I may, I have copies of my testimony I'd like to give ---.

PRESIDENT DEFAZIO: Yeah. Give your name and address for the stenographer.

REPRESENTATIVE KORTZ: Yes. My name is Bill Kortz, State Representative, 38th District, Allegheny County, 514 Ridgeview Drive, Dravosburg, PA, 18034. Mr. President, if I may take a moment. I want to thank you and Dr. Martoni. I'd be remiss if I didn't, because every Saturday evening with my grandfather growing up, we

watched studio wrestling and we loved you guys. So thank you for all the great memories. It was very, very fun. We enjoyed it. Okay. Now for the real stuff. Mr. President, members of Council, ladies and gentlemen, good evening. As I stated, my name is Bill Kortz. I'm the State Representative for the 38th District right here in Allegheny County. And I've come this evening to speak on behalf of myself and Representative Marc Gergely, who is from the 35th Legislative District. He could not attend tonight because of a scheduling conflict.

I have come here to present testimony in support --- in support of responsible shale gas extraction underneath Deer Lakes, as proposed by Range Resources and another company, Huntley and Huntley. It's important to note that for the record that this lease goes above and beyond its safeguards as it relates to safety, environmental and health concerns. First and foremost, this lease does not --- I repeat, does not --- allow for drilling on any park surface. It stipulates that the drillers must set their platforms and do their drilling on private land. So it's not on the park surface. They're on private land. They're going to drill down a mile, and they're going to make a left turn and go another mile. So they're not going to be on park surface. Other very important protections granted under the lease include the following: drillers must test the water within 3,500 feet of each well. This goes 1,000 feet beyond what the state regulations are. So they're putting in safeguards --- very important. Tough safety standards, mandatory automatic shutoff valves, mandatory on all valves. There are provisions requiring that well control experts be on site at all times during operations. Tough provisions to help minimize inconvenience to local residents, such as it relates to traffic and noise.

There's also some night light provisions. Ladies and gentlemen, the lease will bring in an estimated \$3,000,000 to directly benefit county parks, because that's what the royalties are going to set out. There's also a \$4.7 million bonus that's going to help the residents of Allegheny County. From an employment standpoint, there's a provision in the lease that the residents will be given preference in hiring. But what really nails it, to me and to Marc, recently President Barack Obama visited our area. And he, himself, the

President of the United States, touted the benefits of responsible shale gas extraction.

Representative Gergely and I and many others are encouraged by the President's strong support of using American natural gas. The President of the United States recognized there are safe and responsible ways to extract the gas that we have under our feet. The plan that's set forth, Mr. President, in the lease is a safe and responsible plan to do just that, what the President of the United States would like to do. Therefore, ladies and gentlemen, I stand before you. Representative Gergely and I respectfully request an affirmative vote for the drilling on the private lands that will allow access to remove the natural gas under Deer Lakes. And I thank you very much. Thank you.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: Okay. Now we have Tom McIntyre.

MR. MCINTYRE: My name is Tom McIntyre. I reside in Bethel Park.

(Timer sounds.)

MR. FINNERTY: Oh, you're done.

MR. MCINTYRE: My name's Tom McIntyre. I reside in Bethel Park, in Allegheny County. Thank you for the time to allow me to address this council. There are a lot of people here on both sides of this proposed contract with Allegheny County, Huntley and Huntley, Range Resources, and I give both sides all due respect to this agreement, both sides are putting up good arguments here. But I'm also a business agent for the IBEW Local 5, headquartered on the South Side of the City of Pittsburgh. We are in favor of the proposed contract of offsite extraction of natural gas from underneath Deer Lakes Park. The jobs that this industry is creating are good paying, middle-class jobs with benefits, that are desperately needed not only here in Allegheny County but all across the United States.

With the additional community enhancements that are in the proposed contract, such as the expanded water testing, coordination of fire protection at each drill site, noise restrictions, shielding of the lighting and coordination with the local school districts to limit truck traffic on school bus routes, I think the county has done what it needed to do to protect the residents of the

area. On the financial end of this contract, you, as lawmakers, need to deal with the tax dollars raised for running the county and be fiscally responsible. This is an alternative revenue source available, a natural resource to assist in the funding needed to maintain our parks.

I would like to point out that this industry visited our training center on the South Side in the early stages of this new type of work in our jurisdiction. They pointed out what we would be required to train our members for in order for us to compete for this upcoming work. They showed us what certifications our members would need in order to work on their construction sites. These certifications were mainly on the safety end, such as the EPRI certification, just to mention one. I also have a lot of confidence in Range Resources to perform this work safely and as specified, since I've been on several other work sites over the past years.

I would like to ask the members of County Council for a yes vote to the proposed contract between Huntley and Huntley, Range Resources and Allegheny County. Thank you very much.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: William Brooks?

UNIDENTIFIED AUDIENCE MEMBER: Excuse me, Mr. President. I have a procedural question. Would you please explain to me why speakers are being allowed to speak on something that's not on the agenda and the rest of us have to wait?

PRESIDENT DEFAZIO: Well, we --- look, first of all, I don't have to recognize you, but I will.

UNIDENTIFIED AUDIENCE MEMBER: I realize that, sir. Thank you.

PRESIDENT DEFAZIO: Okay. Okay. We already passed that. The Council took a vote on that to change the rule on that. That's the only reason why.

UNIDENTIFIED AUDIENCE MEMBER: What is the new rule, then, sir?

PRESIDENT DEFAZIO: The rule was that we agreed to let the two political people speak and these agenda people. That's what we --- that's what we agreed upon.

UNIDENTIFIED AUDIENCE MEMBER: There's six.

PRESIDENT DEFAZIO: Six; well, they're on the agenda, anyway, the six. The two weren't.

UNIDENTIFIED AUDIENCE MEMBER: They don't have to wait like we have to; is that it?

PRESIDENT DEFAZIO: Well, they're on the agenda. You guys ---.

UNIDENTIFIED AUDIENCE MEMBER: I see. Thank you very much, sir.

PRESIDENT DEFAZIO: Okay. We have Mike Murphy.

MR. BROOKS: He's after me.

PRESIDENT DEFAZIO: I'm sorry. Bill, you were speaking.

MR. BROOKS: That's alright. No problem, Mr. President. Congratulations on your award. I can't think of a guy that deserves it better than Johnny.

PRESIDENT DEFAZIO: We're putting you on first.

MR. BROOKS: My name is William Brooks. I live at 86 Baldwin Road Extension, in Carnegie, Pennsylvania, 15106, Collier Township. I was born and raised in the City of Pittsburgh. I've enjoyed the county parks. My children enjoy them. I'd like my grandchildren to enjoy the county parks. If you've taken a look, we need some repairs in the county parks. I want to mimic what my friend, Tommy McIntyre said, and what Congressman Kortz said, that there is safe ways to extract gas from the earth. We've watched it with oil. We've watched it with numerous sources of energy. I mean, the bottom line is here, they're going underneath the park surface. There's safeguards in place to make sure that people are safe. It's an energy source. When you heat your houses, know that it's an energy source. When you light your houses, know it's an energy source. And myself as a taxpayer in Allegheny County, my family, my children and their children are in favor of this. And again, I urge the council, on the transferring of land, to give us a yes vote, and let's go underneath our parks and where we need to go, to stay in touch with our country as it is as a whole.

The natural gas is here. Let's extract it and let's do what we have to do with it and move this economy forward. Nobody's for paying more taxes to keep up with your parks. Your children and your grandchildren and their children will enjoy these parks if they're taken care of like they should be. \$7.7 million right upfront is a lot of money. You have to put safeguards in. Change is tough for a lot of people. It always was; it always will be in this country. If you look at change into the

big picture into the immediate future, you'll see that it's an energy source that's going to keep your children and their children protected, safe, with jobs to go to. So again, I urge --- and on behalf of the Pittsburgh Building Trades, I'll mention we urge that Council give a yes vote on the transferring of land in this order. So I appreciate your time. Thank you very much.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: You know, let me explain something before we go any further. There's a little bit of a mix-up here. The agenda items were supposed to be on the transfer; okay? So there's a mix-up. It's not going that way. But what I'm willing to do, if Council passes this, after we get through with these first six speakers, I'm willing, if the council makes a motion, to let everybody that's on the agenda speak. Does somebody want to make that motion?

MS. HEIDELBAUGH: I'll make the motion.

(Chorus of seconds.)

PRESIDENT DEFAZIO: Second. Under remarks? All those in favor, signify by saying aye.

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it.

Okay?

(Applause.)

PRESIDENT DEFAZIO: Okay. Mike Murphy?

MR. MURPHY: Hello. My name is Michael Murphy. I live in Ross Township, 107 Brookview Lane, 15237, in Allegheny County. I'm a laborer for the past 28 years out of Local 373, the construction trades, and a business agent for the past five. I represent about 2,000 members. Most of them live in Allegheny County. I, myself, have lived in Allegheny County my whole life. I'm in favor of the drilling at Deer Lakes Park. When I was a kid, I used to go to North Park, South Park, Boyce Park. Any park --- any county park that you went to, they were beautiful. The grass was cut. The pavilions were maintained. There was flowers. Have you been to one lately?

I mean, they're dumps. I mean, they're dumps. I mean, I don't even want to take my family there for a picnic. I mean, to have a picnic, you need a weed whacker to pick up the grass. This is about jobs. And the money that the county gets from the gas lease, we'll be able to rebuild and maintain our county parks without raising any

taxes. Because if you raise taxes, then everybody complains about the taxes. Local high school and college kids, they can get summer jobs. They could be out there cutting the grass; not only part-time summer help, but good paying jobs, jobs that could raise families.

The gas industry is like the steel industry 40 or 50 years ago. It is about jobs, jobs that will keep our young people from leaving Pittsburgh and going to other states. They will get the gas one way or another, so why not reap the benefits and put Pittsburghers and Allegheny Countians back to work. Look at our rivers. What a success story. When I was a kid, I'd go down there fishing. There would be carp and catfish in them. Now they have bass tournaments on them. Thirty (30), 40 years ago, they were making steel on Carson Street at J and L. Today we have bald eagles nesting right down the road. Drilling at Deer Lakes with today's technology can be done safe, with no environmental dangers. And again, it's about jobs, good paying jobs for the people of Allegheny County. So I'm asking County Council to vote yes for the drilling at Deer Lakes Park. Thank you for your time.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Jeff Cohen?

MR. COHEN: I'm Jeff Cohen, 2840 Smallman Street. I've been here a few times. I haven't been here for a long time, though. It's been nice not to be here, but --- no. You guys know me. You've heard me before. I think it's not good for government to be involved in some things, but in this case I think it's really good. Number one, from a safety standpoint, all the things I've read in the past few months is by having Allegheny County involved in this, the regulations and the safety procedures that will happen will be way more than what the state regulations are. And these big companies, there's no way that they could drill and continue to drill if it wasn't safe.

There's always risk in everything you're going to do, but in the long run, I mean, if it wasn't safe, they wouldn't be allowed to do it.

UNIDENTIFIED AUDIENCE MEMBER: Can you speak louder?

MR. COHEN: Oh, I'm sorry; sure. I'm kind of shy, so --- and it's going to happen anyhow. I mean, all these homeowners in all these areas, they've already taken the money. So you know how I feel about broad-based

taxes. You can't continue to tax the same people all the time. This is an opportunity within an industry to have the industry and big business help our county. I mean, when you get \$30 million and \$40 million of excess revenue, there's a tremendous opportunity --- plus it's going to happen all around us, anyhow. I mean, it's not like if we don't approve this from County Council, it's going to stop. All these private homeowners and landowners that bought these lands are going to allow the drilling, because of the kind of money that it is.

And what everyone else has said, which is true, the jobs, I mean, think about the amount of jobs it's going to create within the city and the county. And the thing about these jobs, they're all very, very good paying jobs. And I'm not saying that this is an easy decision, because it's --- everyone has pros and cons in everything. But it's going to happen anyhow. They're going to drill all around. And the way they're going to drill is, they'll drill around the park and underneath. And I don't understand where the county could ever have an opportunity to raise that kind of money without hitting the taxpayers, because you cannot pay --- the taxpayers cannot continue to have increased taxes. And the last thing, which I think is really critical, is that --- again, it's the oversight. The regulations that the county is going to put within the regulations for the drilling will be much more extensive from a standpoint than if they're not involved. So to me, it's a much safer environment to have the regulation the counties are going to insist on to have in drilling or not. So I know it's not an easy decision, but for the long term and the health of this county, we need to make it and hope you vote yes. Thank you very much.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: Mike Weber, followed by John Detwiler.

MR. WEBER: Hi. My name is Mike Weber. I live at 2123 Wrights Way, Allegheny County. I'm here to speak in favor of natural gas drilling. There's a couple reasons I think it's important for our area, the first one being jobs. The natural gas industry continues to create countless of jobs on several levels in our area, jobs installing new pipeline, jobs operating machinery and welding, jobs in engineering, land surveying, construction

management, all those sorts of things. The second reason natural gas is so important is because of the great value it brings to our area. With increasing jobs comes increased spending. Local businesses start doing much better because more people are going out to eat at restaurants, going out to buy their groceries at the grocery store, malls. Hotels start seeing increased occupancy because of out-of-towners coming in looking to work --- to do work in the natural gas industry.

They, in turn, are also spending extra money on our area, restaurants, perhaps sporting events. And the last reason is the more abundant our natural gas supply becomes, the less we have to rely on foreign countries. We can start developing more vehicles, buses, houses running on natural gas. Natural gas, I believe, is the way of the future. It's very important that we get involved and we get involved now, because it's more beneficial for us for years to come. Thank you.

(Applause.)

PRESIDENT DEFAZIO: John Detwiler?

MR. DETWILER: Before the three minutes start, I think I was on the list to speak to an agenda item; is that correct?

MR. FINNERTY: You are.

PRESIDENT DEFAZIO: You're correct.

MR. DETWILER: Thank you, Mr. President. My name is John, and I'm a nobody. I have to talk fast, and I'm going to submit my remarks in writing for the record. I'm speaking to Bill 8224-14, the proposed land swap between the county and the Gulicks. It brings back questions that have bothered me ever since reading the original RFP for fracking at Deer Lakes Park. When Mr. Fitzgerald said that he could get the revenue from drilling without having the surface disruption that goes along with it, I wondered, as a reasonable businessman, well, then who gets the surface disruption without getting the revenue? And why would they do that?

Now, if you remember, Mr. and Mrs. Gulick were prominent last Tuesday among the supporters of leasing the park. They also sat with and had lots of friendly side conversations with the Huntley and Huntley management team. But again, why would they do that? So here are my questions about the item that is on the agenda. What consideration, if any, is either the county or Range-Huntley offering to the Gulick family in exchange

for the use of their property for drilling under the county's park?

The second question requires a little bit of background. Each lateral that goes under the park will come from a different top hole; and thus, it's easy to tell which wells are the county's and which are the Gulicks', even if they're all drilled from Gulicks' land. And there have been lawsuits in other jurisdictions, where neighboring landowners have sued leaseholders, alleging that the leaseholders' pursuit of profit caused the non-leasing neighbors to suffer loss of enjoyment of their own property or a loss in the dollar value of their property. And courts have found that such suits have merit. Where this is all headed is, therefore, the Gulicks have a new and distinct potential legal exposure greater than they would have had if the county weren't making money from drilling under the park from the Gulicks' land.

And after all that, then my question is, is anyone indemnifying the Gulicks for any liability associated with the county wells that are being drilled from their property?

Third question; on the other hand, if the Gulicks support leasing the park simply because a county lease will increase the odds that they, the Gulicks, will receive royalties from their own property, then doesn't that give the lie to the statement that drilling is going to happen anyway? And finally, I notice that Allegheny County owns other parcels along Fairfield Road, both North and South of the parcel mentioned in this ordinance. So I'd be curious to know is the so-called rectangular parcel, that is, the property that is to be transferred from the Gulicks to the county --- is that rectangular parcel encumbered with a gas lease?

Will that rectangular parcel be made part of Deer Lakes Park and part of the land that is off limits to drilling activity? Or will Range-Huntley be able to use that property, which is contiguous to the park, for drilling activities related to the park? And finally, how long until we hear the executive say I've decided to lease those County park parcels which aren't technically inside the park for surface activity, too. It won't violate the Council's ordinance, and it's much more convenient for the drillers. Thank you for allowing me to ask my questions. I hope that you will ask them, too.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Okay. Paul Bauer, followed by Chris, what is that, Truby (phonetic).

MR. BAUER: Good evening. Thank you for hearing me out this evening. My name is Constable Paul Bauer. I'm President of the Allegheny County Constables Association. We're here representing the constables of Allegheny County to briefly describe how constables are a positive asset to the county. Let me first start by saying that constables are elected or appointed officials like most of you. However, as independent contractors, we are not paid a salary, nor do we receive benefits. We are only paid for the successful execution of our task, with the cost typically being assessed against a defendant in a case in accordance with Pennsylvania Act 49.

Of the approximately 225 certified constables, not all perform transports and warrant service. Some constables perform civil work which benefits local taxpayers involved in court cases, working hand in hand with the judges of the district courts, their staff and various police departments and other entities of this county. The constables of Allegheny County transport hundreds of prisoners annually, provide security to the district courts daily and serve approximately 30,000 warrants a year, recovering outstanding monies due to the county, state and local municipalities. We do all this and more without the benefits, expenses and long-term costs of the typical employee. Constables are bonded, insured and certified by the state and have a vehicle appropriately equipped for transporting prisoners. You may not be aware, but our 40 hours of annual training is at our own expense and exceeds that of many law enforcement entities. Realizing that there were approximately 100,000 warrants sitting down in the Municipal Court Building, we approached the municipal court staff. And after two years of negotiations, we are now serving the 100,000-plus warrants that were just sitting down there collecting dust.

I'm proud to announce, in six months' time, the constables of Allegheny County have successfully served 1,700-plus warrants. We're extremely proud of this task that we perform. We are here today to request again a better understanding of the monies that constables bring in to Allegheny County. It seems odd that we are told what we cost the county. However, we are unable to obtain

the amount of money we bring into the county, where the funds are channeled. Thank you very much.

(Applause.)

PRESIDENT DEFAZIO: Chris? Is Chris here --- Truby? I mentioned that. Then followed by Victor Diaz and Jason --- what is that --- Fulvi, Foley (sic)? Could Jason come up and be ready to save some time? Are you Victor?

MR. DIAZ: Yes. Thank you, Council. My name is Victor Diaz. I'm a resident of Monroeville, and I'm here to support the drilling in Deer Lakes. Basically, this is an industry that's going to create a lot of jobs. It's a revenue generator for the county that we normally would not have and that would help, not --- no taxes for me. So I'm all for it. Thank you very much and good night.

PRESIDENT DEFAZIO: Okay.

(Applause.)

PRESIDENT DEFAZIO: Jason? Would Chris Patrone (phonetic) come up and Terri Supowitz is next.

MR. FULVI: Thank you, President. Council, thank you for the opportunity to speak. I promise we'll be brief. I wanted to just reinforce some of the ---.

PRESIDENT DEFAZIO: For the record, give your name and address.

MR. FULVI: My name is Jason Fulvi. I'm a resident of Moon Township, Coraopolis, PA, 15108. I'm an employee of Visit Pittsburgh, and our mission is really to drive leisure traffic and travelers and meetings, conventions, into Allegheny County. And what we --- what I want to enforce today is the ancillary jobs that this industry supports and the revenue generated by this industry. When we started booking energy-related conferences back in 2009, we booked one conference that year. In 2014, we now have 12 conferences, bringing 13,000 individuals from somewhere else coming into our region, that will support all of the other support services in our city and county, the restaurants, the attractions, right down to shoe shines and grocery stores.

It will leave behind about --- from 2009 to 2014, about \$39 million into Allegheny County. In taxes, that's about \$3.5 million of taxes coming back into the county coffers. So energy has been a staple for this region for many, many years, way before I was born. It's now a staple again. We're on the forefront of energy for growth in our region, and it supports a lot of jobs. In

Allegheny County alone, the hospitality industry is supported by 39,000 jobs, and this business helps support those jobs. Thank you.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: Chris Patrone, followed by Terri Supowitz.

MR. PATRONE: Thank you, Council. My name is Chris Patrone. I live at 1806 Fox Way, in Pittsburgh, Pennsylvania, 15203. I appreciate your time today. I come here representing the operating engineers, Local 66. We represent about 7,000 members in western Pennsylvania and eastern Ohio. And those 7,000 members are largely employed right now because of the Marcellus shale. When we take a look at our numbers, we see that we would have huge unemployment if we did not have this industry. It was a Godsend. It is putting food on the tables of the families of our members. And that's what really matters.

And I take a look at this lease proposal that people want to debate and I say, okay, is this going to be something that's good for the county? Well, there's going to be \$3 million, probably more, right upfront for the parks, and our parks need it. I live here; I've used them. So what about safety? Well, there's increased regulation. There is drilling going on in the Deer Lakes area. It's happening right now. With this lease, you're going to now see increased regulation. You're going to see more people being involved and taking a look at what's actually happening to the water. Some of the proposals and the descriptions have already been detailed before me. Well, then I say, okay, we've got a little bit of extra --- you know, an added incentive there. Well, also, our members, these people, we know 1,100 of them that live in Allegheny County.

This is their back yard. They're going to be drilling in their back yard. And when it's your own back yard, you take a little bit more protection. You're a little bit more protective of that area. So they're going to watch when they're putting this pipeline in. When they're doing these jobsites, they're there. It's their own space. They have a personal vested interest in this protection of the environment, because it's theirs. So I say, we're going to make a lot of money off of this as a county, to funnel that money into the parks. And we're going to be able to do it responsibly because we have

people there protecting their own land, stewards of their own property.

And we have added county and state regulations that are going to take place. This is a no-brainer to me. Please, support this. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Terri, then followed by Pia Colucci.

MS. SUPOWITZ: Hi. I'm Terri Supowitz, 310 Hay Street, Wilkinsburg. I have to comment on this jobs thing. I feel --- I don't want anyone to think that we are opposed to fracking because we don't want people to have jobs. We shouldn't have to choose between jobs and a safe environment. We should be able to have both. I want all of these people to work. I want all of these people to put food on their table and be able to pay their rent and mortgage. We shouldn't have to choose. In this case, we may --- we do.

And this thing that is not going to happen anyway, that it's going to happen anyway, it's not going to happen anyway, at least, it's not going to be to the extent that Fitzgerald is talking about. And we don't even know what that --- what exactly the Deer Lakes property --- what that means and what it's all connected to. Okay. I know that some of you think we are alarmists. How could drilling possibly cause all that harm? I'm offering you a guide. Surely, you believe that some of what we are saying is true. You know that we have not been making this up, and you know we have documentation. You've received a lot of this information from testimony and from e-mails and from papers that we have sent to you.

Even if half of what we have been telling you since August is true, then you must vote no to drilling under Deer Lakes Park. Otherwise, Allegheny County can look forward to spills, fires, explosions, cancer and death. You did hear about the three-truck crash that just happened in Washington County on Monday where fracking water and diesel spilled in Chartiers Creek? Guess who was the oil and gas company? Our trusted neighbor and friend, Range Resources. The decision you are about to make is the most important decision you will ever make in your life. It is more important than who you married, your decision to have children, your choice of careers.

This decision will affect the water, air and lives of the residents of Pennsylvania, Ohio and West Virginia. Once you drill in Deer Lakes Park, the water, the air and the soil will be affected forever. It is not reversible. You can't change your mind a year from now or two years from now or ten years from now and say, I wish I hadn't voted for it. Vote no to drilling under Deer Lakes Park.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Pia, followed by Joseph Menanich (phonetic) and Jim Vogel (phonetic).

MS. COLUCCI: Pia Colucci, 4725 Wallingford Street, Pittsburgh, 15213. It's Earth Day today. Let me repeat that. It is Earth Day today. We're all stewards of this planet of ours, and we have to make the correct decisions to protect our one-and-only spaceship. I wish that I could vote to protect our park, but I cannot. And I need to count on you to do the right thing. Say things often enough, and people will believe them to be true. Rich Fitzgerald incessantly repeats the fact that if County Council votes against drilling under Deer Lakes Park that drilling is going to happen anyway.

He repeats this to anyone who will listen to him. I believe those are lies. A couple of weeks ago, in my testimony I said the prize piece, the jewel of the fracker crown, is our Deer Lakes Park. I believe they are not drilling the surrounding area unless they get the park. I have always felt that way. And then at this past Wednesday's informational meeting, which was loaded only with frackers and folks who benefit directly from fracking, Range Resources/Huntley and Huntley would not go on record to say that if County Council votes against drilling under the park, that they would drill anyway, passing the buck to someone at a much higher pay grade.

Aren't these questions that they should have had answers to prior to meeting with the Council? This is fundamental, the question, and was asked three times. And three times the buck was passed. The ordinance you are voting for is a blank check for Fitzgerald and the frackers. Should you erroneously give the green light to this threat against our park, the frackers have free reign with Fitzgerald signing away everything that they want. Who's left holding responsibility when things go wrong; you will, County Council.

Maybe canceling the meeting we set up with John Smith was the gravest of errors in the discovery process. If I was you, I would drive down to Washington County and meet on my own with Attorney Smith. That's due diligence. What happened here was gross negligence. Saturday was a gorgeous spring day. I was at Deer Lakes Park, and I went to see each of the five-year-old compostable bathrooms. They are incredible, in great condition. The trout fishermen/women/children were out in force. The waters were filled with life --- fish, duck, geese, lily pads coming to life after a harsh winter. On the shoreline, the park's maintenance had done a great job pruning all the dead cattails and the brush, and the new shoots could be seen coming up.

The grass was neat, the edges trimmed. People were out playing that tossing golf game. The park looked to be in perfect shape. No informational sign had even a spot of chipped paint. The new trees planted were circled with the deer mesh and stood straight with their installed anchors. The park is in terrific condition. I was there, and I saw it with my own eyes. Fitzgerald is spreading lies about the condition of the park. Our parks do not need millions of dollars in repair. Range Resources, along with Huntley and Huntley, however, want millions and millions of profit from our park. And Fitzgerald owes them big time and is strong-arming each and every one of you, trying to convince you to do what you know is wrong. So go home, look at your family in the eyes and tell them that today, Earth Day, you're going to protect our park. And I'm happy to give you a green scarf.

(Applause.)

PRESIDENT DEFAZIO: Joseph? Is Joseph here? Jim Vogel? Victor Rodriguez, followed by Reginald Goode -- Reginald (changes pronunciation).

MR. RODRIGUEZ: Thank you, Mr. President and County Council. I'm here to support the ordinance 8182-14 to drill under Deer Lakes Park.

MR. CATANESE: Could you state your name and address, please?

MR. RODRIGUEZ: Oh, excuse me. My name is Victor Rodriguez and I live at 1870 Shaw Avenue, Pittsburgh. I'm a frequent person who enjoys the parks in this area, and I see the same things. We have a lot of --- especially in Frick Park, where I go a lot, there is a lot of decrepit structures in Frick Park, and I don't know

how much is channeled into the city from the county funds. But I'm assuming there's a lot of the same issues in the county parks, too. And I have a business where I provide housing to a lot of people of modest income who use the parks a lot. And I think it's a very important amenity for people who are in the city and in urban areas to have parks that are well maintained, and I think this idea to drill a mile below the surface to extract resources, which I feel are going to be extracted anyway, it's a good idea. And I support Rich Fitzgerald and the County Council to vote yes on this. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Reginald? Dan, what is it, Styche --- followed by Barbara Grover after him.

MR. STYCHE: Hello, Mr. President and Council. Thank you for giving me the opportunity to speak here. My name is Dan Styche. I live at 1229 West North Avenue, the City of Pittsburgh. There's a lot of people up here talking about fracking and if they agree with it or not. I happen to agree with it. I have experience with it. I have lands in my family in other counties where some of the property we do have leases and some we don't. It just depended on the area and the family that had interest in the lands. Some, like people here, didn't want to do the fracking. And others, like myself, did go along with the leases. If Allegheny County spends the money the way they say they're going to spend it on the different parks, and if this council goes through the regulations and makes sure that it's in place, that we are protected, I feel that this is a good thing for the county. So I'm asking you to do your diligence. Look through the plan. Make sure it's adequate for the county. I was also glad to see that the county is not getting any more money percentage than I did when I signed my lease. So I was happy about that. But if everything is in order and you feel that it is good for the county, which I do, I hope you vote to go along with it. Thank you for this time.

(Applause.)

PRESIDENT DEFAZIO: Barbara Grover?

MS. GROVER: Hi. My name is Barbara Grover. I live at 5526 Wilkins Avenue in Pittsburgh, 15217. I am the Chair of the Allegheny Group of the Sierra Club and wish to read into the record a statement from the Director of the Pennsylvania Chapter of the Sierra Club, Joanne Kilgour. That was designed, her statement, to be read at

the April 8th meeting. We were unable to do so at that time. I'm doing it now to emphasize that the strong advocacy for all of you to vote no to fracking under Deer Lakes Park, is not just the opinion of the small number of people who have come before you at the public hearing and your Council meetings but is representative of more than 24,000 Pennsylvania residents. Director Kilgour's comments are as follows.

My name is Joanne Kilgour, and I am the Director of the Sierra Club, Pennsylvania Chapter, which has more than 24,000 members throughout the Commonwealth who join the ranks of the 2.4 million members and supporters of the Sierra Club at the national level. Many of these individuals are directly impacted by natural gas development, and many others are engaged in advocacy on behalf of our public lands that are exposed to threats from increasing natural gas development. We oppose the Deer Lakes Park leasing ordinance County Executive Rich Fitzgerald has submitted for the consideration of this Council.

There is a statewide push to lease the minerals under our treasured, valuable public lands, and it is disappointing to see this trend extend to the county level. While the oil and gas industry, as well as some of our elected officials, would like our concerns and our opposition to be eased by the fact that some activities will be limited to surface parcels outside the boundaries of the public lands, we remain both concerned by and opposed to this effort. The very idea that there can be non-surface impact leasing is misleading. Surface impacts are not limited to new wells, well pads, pipelines, compressor stations, access roads or open pits, but rather they include loss of critical habitat, changes to the local hydrology and geology, loss of valuable ecosystem services, such as flood control, noise and light disturbances and increased air pollution.

Further, there will be impacts to recreation and the economic benefit to the county from the park system. And these are only the certain impacts. In addition, as we have seen recently with the tragic fire at the gas wells in Greene County, there will be risks of leaks, spills, blowouts and fires, none of which respect the artificial boundary between private land and the lands held in trust by the county. That concludes her remarks. Thank you for your time.

(Applause.)

PRESIDENT DEFAZIO: John Graf, followed by Kathrine Luke --- Kathrine (changes pronunciation) Luke, followed by Nicholas Goodfellow.

MR. GRAF: Mr. President and members of Council, thanks for the opportunity. I'm John Graf, 6933 Church Avenue, Ben Avon Borough. I'm here today also to discuss the leasing of the county parks facilities for Marcellus shale extraction. I'm in favor of it. As many of you know, County Executive Fitzgerald and I don't see eye to eye on everything, but we do on this one. And I think that he's keeping a watchful eye out, number one, for our tax revenues in that we don't have to raise existing taxes or create new taxes that harm business development in the county.

We also see it as a --- creating jobs for the residents of this county and the region, not just the direct jobs but also, as Jason Fulvi indicated, jobs in the hospitality industry, both with hotels and restaurants. There's been a huge, huge uptick here in the Pittsburgh region in hotel demand and restaurant creation. And a lot of this is due to increased economic activity from the Marcellus shale drilling. So there are concerns, obviously, and I share them, with regard to the safety of this program. It does seem like the county has done its homework on trying to mitigate these potential harms. And so I would wholeheartedly ask this council to pass this ordinance and move forward. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Katherine Luke?

MS. LUKE: Hi, everyone. Thank you for your time today. I spoke before you ---.

PRESIDENT DEFAZIO: Give your name and address for the record.

MS. LUKE: Oh, sorry. My name is Katherine Luke. I live at 21 Wellsford Street, Pittsburgh, Pennsylvania, 15213. And I was here last week to speak about some of the numbers with regards to hydraulic fracturing in southwestern Pennsylvania, from the perspective of a young person currently living in the region who would like to live here for the rest of my life. And as an economics student at the University of Pittsburgh, I've been encouraged to look at the numbers of every problem and take a balanced approach in doing so.

So I'd like to present a few studies on the effects of fracking on the local economy in both Pennsylvania and in other regions that have faced a resource boom. A 2012 study from Duke University showed that as a result of hydraulic fracturing, there's a 13 percent decline in property values for homes not connected to a municipal water supply. While this is a relatively low percentage of the population in Allegheny County, it does affect many and evidences the fact that whatever returns may exist from fracking are unequal. And as can be understood in looking at a study currently under review by the Journal of Environmental Economics of six western states that saw an oil and natural gas boom in the 1980s and 1990s, these perceived benefits, whether they may be in the form of job creation or personal revenue in the short term, are not sustained in the long term. In fact, over 30 years in those counties most heavily involved in hydraulic --- well, in natural gas and oil production, they saw a long-term decline in health and education outcomes and a \$7,000 decline in per capita income. These are realities that I'm well aware of as an original ---. I was born in southwest Virginia in an area where the mountains have been blasted to smithereens and fresh water is not a reality for many people. In this part of the country that's been heavily affected by coal mining, Pittsburgh is seen as a region that has escaped this heritage and escaped what is a reality for many people of Appalachia in the negative effects of the resource curse. And by taking that step today and saying that the County Council is for this, not only for hydraulic fracturing but doing so in a place that represents our public heritage, is taking a step that is not in line with the thinking of many of the young people that would hope to reside in Allegheny County and would hope to make a life here. And these possible long-term effects, both in property values, the environment and simply peace of mind, are something that did not encourage investment in the region and does not encourage one to move here.

Since 1850, Allegheny County has lost 700,000 people tying its fortunes to manufacturing and extractive industries. We have the opportunity to not do that today but instead look towards other opportunities which are bringing people to the region, college-educated individuals and those that are brought here for hospitals, universities and other opportunities. And taking a step

towards supporting hydraulic fracturing would be moving away towards this possible green future for the county. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Nicholas Goodfellow, followed by Alberto Benzaquen, then Bernie Roberts.

MR. GOODFELLOW: Good afternoon. My name is Nicholas Goodfellow. I live at 213 Coltart Avenue, Pittsburgh, PA, 15213. And I represent the future of Allegheny County. As you can see just by taking a look around the room, I am, by far, one of the youngest people here; no offense. And being able to say that, I can tell you the perspective of my generation. We are opposed to fracking and extraction industries, and that is the position that I'm advocating today. I don't want my future Allegheny County to be a fracked Allegheny County --- a fracked Allegheny County, especially not in my parks and in my public lands.

As I grow up and look for a city to live in, where I can raise my family and live a happy, healthy life, I can tell you for sure that I will seriously reconsider whether I want to live in a county that thinks fracking is a good idea for long-term growth. This is not just a position that I have. A recent survey published in the Journal of Real Estate Literature found that the majority of people who --- the majority of people would not purchase a home near natural gas --- natural gas drilling. Shale gas drilling within .6 miles of a home can decrease values by averaging 16.7 percent and can go as high as 25 percent. Fracking stigmatizes a community because people know the damage that it causes. I urge you --- I urge you to vote against fracking here in Allegheny County, and make a decision for a happy, healthy, safe and prosperous Allegheny County. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Alberto Benzaquen; Alberto not here? Let's go on. Is Bernie Roberts here? Michael Simms would be after Bernie. This is Bernie Roberts; right?

MR. ROBERTS: That's correct. Good evening, Mr. President and members of Council. My name is Bernie ---.

UNIDENTIFIED AUDIENCE MEMBER: Use the mic.

MR. ROBERTS: I'm trying. Is this better? My name is Bernie Fischlowitz-Roberts, and I live at 5728

Elwood Street, Apartment 6, in Pittsburgh, 15232. Happy Earth Day to each and every one of you. I want to begin by commending the county for its sustainability program, Allegheny Green. And I appreciate the county's efforts to implement sustainable practices and reduce the county's ecological footprint. And I am proud that the county has set a goal to reduce its greenhouse gas emissions 20 percent below the 2008 levels by 2015.

So I find it hard to reconcile the county's stated efforts to reduce energy consumption, reduce water consumption and become environmentally sustainable on the one hand, featured prominently today on the county website because of Earth Day --- with the Executive's push to drill for gas under Deer Lakes Park. The world's top climate scientists have told us unequivocally that humanity has a very short window of time in which to prevent climate change from spiraling out of control. And that is the most pressing moral challenge of this or any generation. And so one of the things that means is at least 80 percent of known fossil fuel reserves, which is coal, oil and natural gas, need to remain in the ground and out of world markets if you want to give us a fighting chance of averting climate catastrophe. So any plan that results in increased gas drilling, especially this proposal to frack under Deer Lakes Park, will inevitably cause emissions of greenhouse gases to go up at a time when significantly reducing those emissions is absolutely essential. Given this context, it would seem a matter of common sense that we need to stop acting in ways that make this problem of climate change worse; and that is, we must remember to abide by what I refer to as the first rule of holes, and that is, when you're in one, stop digging. In this case, we must not only stop digging, but stop drilling, stop fracking and stop thinking that fossil fuels are the way to sustainably power our economy into the future. Clean renewable energy like solar and wind is the only path forward that is both consistent with our values and our obligations to one another on this increasingly imperiled planet.

And clean, renewable energy also creates way more jobs per unit of energy generated than do any of the fossil fuels. So let me be clear. I'm concerned not only about the burning of natural gas to be obtained from drilling under Deer Lakes Park, but the attendant air pollution and water contamination that will almost

inevitably result from the fracking process. You can say it's a safe process, but that doesn't make it so. I appreciate Council members approaching this issue in a deliberate and serious way and asking the questions, the tough questions of the Executive's plan that need to be asked. Upon close scrutiny, this plan is not ready for prime time. It needs to be rejected in favor of other approaches that are consistent with the county's own greenhouse gas emissions reductions phase. Thank you very much.

(Applause.)

PRESIDENT DEFAZIO: Michael Simms, followed by John Detwiler and Mel Packer.

MR. SIMMS: My name is Michael Simms, and I live at 219 Bigham Street, in Mount Washington, City of Pittsburgh. There are so many problems with fracking in the parks that I can't explain them in three minutes, but I'll touch on a few areas right now. First, business investment; we hear a lot of claims about how much money the county is going to make from this fracking contract. It's just not true. Although signing a contract with Range would create a few million dollars in upfront money, the long-term costs to this region are huge in comparison. In a recent article in Forbes Magazine, hardly an environmentalist publication, large drops in the value of homes, sometimes as high as 90 percent in individual cases, have been reported in areas within one-half mile of fracking wells. A drop in home value would be a disaster for individual families, their townships and the county as a whole. Second, in the area of science and health, a fracking well pumps millions of gallons of a toxic mixture of chemicals into the ground. Some of these chemicals, including methane, are lighter than air and migrate to the surface through the bedrock that's been made porous by the fracking process. In areas that have been fracked, it is common to be able to set the ground on fire or, more famously, light tap water on fire, because of the methane leaking into the soil and water.

Setting aside the possibility of industrial accidents, such as the one four years ago in Cheswick, which killed two Huntley and Huntley workers, even the best practice of fracking pollutes the air, the water and the land, creating a health hazard for people of this region for many years to come. Third and finally, regional development. In this area, we've spent 40 years

cleaning up the streams and rivers and converting old industrial sites into places to live, work and shop. We are the Renaissance City. We are known internationally as the Comeback City because we have created a livable region. We have clean industries such as healthcare, finance, robotics, software, higher education and recreation.

Do we really want to turn back the clock to a time when the air was unbreathable and the water was undrinkable? When young people are asked, what is the most important thing they look for when considering moving to a region of this country, they always put quality of life at the top of their list, ahead of high salary and family connections. If we are going to stay competitive in attracting young people, we have to protect the quality of life here. In terms of regional development, fracking is a step in the wrong direction. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. John Detwiler, followed by Mel Packer.

MR. DETWILER: Thank you, again. I'm John Detwiler, 5723 Solway Street. At last Wednesday's meeting of the Parks Committee, every one of the invited guests was invited to sell you on the Range Resources/Huntley and Huntley lease. We all expected that and we weren't surprised. It was quite a show, too, slick and well orchestrated, worthy of the Cirque du Soleil. They made the impossible look effortless: fancy footwork, twisting themselves into incredible shapes, changing direction in mid air. And not just the company spokesmen, but a hired geologist, the DEP and all the county employees, as well. I had that thrill that you feel, seeing a team of professionals when it's really clicking, grooving as if they all inhabited the same skin. And that exposed the big lie, the falsehood on which the Executive has built his entire sales pitch, which is that somehow taking the drillers' money will let the county do a better job of keeping the drillers honest. The level of mischief in that notion is simply staggering.

Can you find any reason to think that after contorting themselves as they did last Wednesday, our Executive appointees will suddenly straighten up after a lease has been signed; after promising us risk-free fracking and benign corporate management, that this administration won't need to cover up problems at Deer

Lakes or anywhere else in this county? Can you even imagine the solicitor taking any driller to court over environmental damages? Is the County Executive even capable of a double-cross like that?

And remember, there are eight more parks to get voted through this council after this one, so that same show that you saw here on Wednesday will be in reruns for at least the rest of this Executive's time in office. Then who will tell the truth about the emperor's clothes on this Deer Lakes project, while the whole executive branch is at work shilling for the next leasing deal? And it's not just the executive branch.

If getting this one vote through Council becomes more important than the integrity of your chamber, then you have a problem, too. I was sitting here when some Council members belittled other members for acting on principle and abstaining on a fracking vote. And I listened when Mr. Fitzgerald stood right where I'm standing now and said that this lease vote is so important that no Council member should be allowed to abstain from it. And I've heard of pressure being applied outside this room, as well.

Yes, it's true. Fracking has already moved into Allegheny County, and that's a problem. But it's nothing compared with the problem of the county moving into fracking. Local government doesn't belong in the fracking business, because it needs to protect its residents from the fracking business. That's what's at stake here. The industry knows it and you should know it, too. They won't have just a lease on 1,200 acres, they'll have a leash on county government. Throw off the leash and vote no.

(Applause.)

PRESIDENT DEFAZIO: Mel Packer?

MR. PACKER: Mel Packer, and I think it's time for a bit of humor, so I bring you some satire. Tonight I bring you an episode of Fantasy Land, a land in which the unimaginable appears, the unbelievable, the absurd becomes reality. Imagine a courtroom where the prosecutor, defendant, attorney and judge and jury, are all sworn to seek justice for all. The defendant, a member of the business community, is tried for fraud, misrepresentation, deliberate withholding of evidence before the news media, yet he persisted in telling lies about his business practices. To the average citizen, it's a simple case, especially given defendant's record of many previous

violations and numerous fines paid to the Commonwealth, many claims settled out of court for other violations.

However, a diabolical, procedural twist has arisen. The judge, who has the power to exercise absolute control over the proceedings, has ruled that only evidence from the defendant's friends, business partners and employees will be allowed. The prosecutor and some jury members are disturbed and appeal for a fair trial, but the judge is adamant. As the trial proceeds, we hear he defendant is a fine, upstanding fellow whose only goal is to free the residents of exorbitant fuel bills, clean the environment, solve unemployment, house the homeless and perhaps, who knows, perhaps even cure cancer, if allowed to drill without obstruction.

Friends of the defendant, many of whom are in his employ, testify as to his good character, his inability to commit harm, his misguided critics who have fallen under the spell of a foreign conspiracy called democracy and justice, a dangerous concept. Each time the prosecutor objects, she's dismissed as playing politics. Her objections are denied. Independent lawyers and academics with evidence are denied the right to present. Before court ends for the day, it is revealed that the judge has a business relationship with the defendant, which normally would result in the judge removing himself from the case. But this judge says, the relationship means nothing. He refuses to step down. Unfortunately, as this is a series, we will end the episode here, pending the final outcome to be determined by the jury. And I will step out of character. And I'm sure you recognize the similarities between, obviously, staff and an unjust courtroom, and the process that's happening with the Parks Committee around the Deer Lakes proposal. We are born into a nation, into a community that preaches fairness, democracy, the obligation to hear all views. Yet somehow, this process is being subverted. We, the residents, have no power to stop it. You, the Council, as a jury in this episode, sworn to those same ideals, hold that power. We know that some of you are doing your best to ensure that our County Council lives up to our shared democratic ideals.

Failure to demand democratic proceedings is, in fact, failure in our duties as the people's representative, and a betrayal of the oath of office. We

simply ask that you live up to those deals and act upon them. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Don Foster? Let me say this. After this next speaker, we're going to take a five or six minute break. She can change the paper, the stenographer, and you can take a five minute stretch; so go ahead.

MR. FOSTER: Thank you. My name is Don Foster, and I reside at 230 Whetherburn Drive, in Wexford, Pennsylvania, Allegheny County. When I saw the luggage here, I surmised it might be a long evening and I'm not disappointed. I wanted to let you know that I am an independent, rational and respectful taxpaying citizen, with no allegiances. I just came because I felt compelled to give a rational, independent and respectful opinion. I have a 35-year track record in positive economic industrial business development. And in that entire time, I worked in the nonprofit social segments here in Allegheny County, without pay in that regard.

I'm working right now with homeless, addicted and many of the clients that Congressman Murphy was advocating about. But I'm here to provide positive support for what I see as a well-thought-out, carefully crafted agreement with Range Resources and Huntley and Huntley, for the offset extraction of gas under Deer Lakes Park. I'm a contract specialist, and I've reviewed the public agreement. And I'm pleased that the key safety and environmental issues have been addressed, in most cases, beyond industry standards. Every process in our community, whether it's our medical community, filming action movies in our city, attracting conventions, hosting wrestling matches or benefiting from our natural resources, all have associated risks. So let's manage those risks appropriately with our heads up in a balanced, rational and respectful way. We have the brightest in our region and around the globe, looking at safe, modern gas drilling techniques. What we're doing here is really a model for what's akin to a public/private partnership. And there should be more of these around in the community.

It's essential that we move forward on this process. I think it will be beneficial our community culturally, educationally, as we move forward. My name is Don Foster. I'm a citizen in good standing. I'm here to

present a rational and respectful, independent opinion.  
Thank you.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: We'll take a five, six-minute break.

(Short break taken.)

PRESIDENT DEFAZIO: Okay. John Shumpert (phonetic), followed by Lois Drumheller, then followed by Skip Drumheller. John? Is John not here or is he still on the break? All right. Lois? All right. If John comes in, let us know.

MS. DRUMHELLER: This got twisted here. Let's see. That okay? Okay. Lois Drumheller, resident of Monroeville. I need to follow up with an Earth Day question to Council. Did you review my April 16th e-mail? If so, you would have seen, with large graphics and references, a 50 state strategy referred to as the Solutions Project. It's a visionary plan toward renewable energy in every state. The link I sent showed Pennsylvania's transition to a 100-percent wind, water and solar, so by the year 2050, we'd have a scientifically projected pathway to provide all energy for electricity, transportation, heating, cooling and industry.

I only have three minutes, so you have to do your homework with this and understand that your time is vital to our sons' and daughters' future. It does not include the environmentally unclean sources used to drill under the parks. We need to start transitioning rapidly to a state of clean and renewable energy for all society's purposes. There are plenty of examples where self-regulating industries have messed up with technologies, which I'll get into. So this means that starting now, at least by 2020, every new source of electricity should be --- should be cleanly produced.

It can be done. Last week I mentioned an informative comeback show of Carl Sagan's, now with host Neil deGrasse Tyson. It's on anyone's TV and on the Internet, and it's called Cosmos. We learned a bit of history in the last episode, that a self-regulating petroleum industry will push something they know is toxic and harmful to the public. It's what an industry got away with from the 1930s to the 1980s. They PR'd the safety of lead into our growing consumption of gasoline. Cosmos,

this week, reminded us of a geochemist who was tasked to find the age of the earth, of all things.

During that research, Clair Patterson stumbled on a grave threat. After what he discovered, he became mired in a world of trouble from some of the most powerful people in the oil and gas industry, who chose to ignore the effects of lead. At Cal Tech, Pat (sic) was solving the problem to measure the age of the earth. He also found that an unaccountable level of lead was making experiments difficult. There were non-natural causes in it somehow popping up. Lead was already identified as a toxin from ancient times.

Before his experiments, the Dutch Boy Paint industry used an effective PR campaign that allowed 80,000 tons of it into their paint. So when the executives at General Motors saw what Dr. Patterson published about lead in the scientific journal, Nature, they responded in defense of their anti-non-gasoline additive by trying to buy him off, all the while ignoring many workers who were exposed to 60,000,000 tons of lead production yearly. They even employed their own man of science, a Dr. Robert Kehoe, who defended ethyl gasoline all the way to the late '60s, insisting there was only a natural occurrence of it on earth. There is no such thing as a non-toxic level in the body.

You'd think that we would have learned from a long historical battle making its way through Edmund Muskie's State Senate sub-committee. Everyone thought Patterson was a crank, largely due to the work of Kehoe. But in the 1980s, leaded gasoline was finally found as environmentally unsafe and taken off the market. How many workers were lured into a highly technical, well-paying job, only to become toxic by the industry they worked for. In closing, how many respiratory therapists like myself have tested problems and taken histories from those working in the fracking industry? I can't tell you, but they already know.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Skip, followed by Tim Ludwig.

MR. DRUMHELLER: Yes. Oliver J. Drumheller from Monroeville, Pennsylvania. This is Earth Day. That means that we should be involved in protecting the earth, which President Kennedy referred to as saying, we all breathe the same air, drink the same water and all of

that. It's true. We have a responsibility to protect the environment, all of our occupants. The statements in allowing a proposal to allow Mr. Fitzgerald to come up with a lease, leaves all kinds of things to the imagination. What is the final lease going to look like, et cetera?

Basically, we're talking about drilling underneath the park. We're not going to have any impact on the surface. Two weeks ago I said, really? I say it again. We've just had another recent report that fracking and fracking fluids injected into the earth cause tremors that can lead to earthquakes. This type of activity will damage the surface --- the water, the air, everything that's alive --- and our opportunities to enjoy the park. My family enjoys Boyce Park all the time, and it is not in a state of disrepair. It's being repaired regularly. There are new signs that are put up. It's much safer than it ever has been in the past, and we've lived here for 16 years.

The revenue from this lease, when and if it comes through, is supposed to protect the park and allow for it to be repaired, and all of that. Well, how do we --- if we destroy the park, how are we going to repair the park? And that's somewhat difficult for me to put together. Okay? What we're looking at here, guys, we have short-term profits, short-term jobs for maybe a few years, but the long-term effects on the environment and our people, and the reason that people go to parks and live in the areas, will be destroyed. That will not go away easily. We need to consider that. Please do the right thing and vote against not only the proposal, but also the lease when it comes before you in the future. Thank you very much.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Tim Ludwig, followed by Patrick Bacardi (phonetic) and Joni Rabinowitz.

MR. LUDWIG: Good evening, all. Tim Ludwig, 18 Greismere Street, in Etna. I'm the one our Executive calls an extremist on public radio. I guess that is what an informed citizen that disagrees with his policies is called these days. Like Mr. Finnerty said last meeting, I think it's deplorable to call people names, and I'm glad no one on this council is that childish to stoop to that level. I've provided in front of you the law that I feel

was broken this past month. When you read this state law, you'll see that there was a violation and will continue to be a violation as long as Mr. Futules chairs the Parks Committee.

This isn't a matter to laugh off. I'm standing up to ask my representatives to behave in a lawful manner. I do not think this is too much to ask for. I'd like to ask my area representative, Mr. Kress, to look into an ethics violation. Mr. Kress, as a former member of the Allegheny County Ethics Commission and a lawyer, I trust you will do what is right. I have included on the sheet in front of you some of the relevant facts. Mr. Futules and his family have gas leases and wells controlled by Huntley and Huntley. At least one of those leases is currently being held by production for Marcellus drilling.

Huntley and Huntley can, at their discretion, activate that lease for drilling, Marcellus drilling. The royalties for this lease alone could amount to \$1 million by our estimates. You all have important business to attend to, and I do not wish to waste everyone's time. This matter was brought to Mr. Futules' attention in January, and he's been very open to discussions and provided Protect Our Parks with an opinion from Mr. Cambest, which I have handed to you. Through letters, we have stated our disagreement with the carefully worded opinion that we received back in January. Councilman Futules continues to chair meetings and organize debates since the ordinance was introduced by Executive Fitzgerald and has made it clear he will continue to do so and will continue to speak in support of the ordinance. It's obvious --- in obvious support of the ordinance, he has denied other Council members the right to bring objective and independent witnesses to testify before the Parks Committee. Now that every member --- every member is aware of the law and the actions that have already taken place, I would ask members of this council to ask Mr. Futules to recuse himself from the Parks Committee or wait for an opinion from the State Ethics Commission, which he has asked for, before any other Parks Committee meetings take place.

It would also be prudent for every Council member to educate yourself with the Public Officials --- Public Official and Employee Ethics Act and the Allegheny County Code of Ethics. If you have any questions, please

ask the Ethics Commission for an opinion before you take action and not after. Thank you.

(Applause.)

PRESIDENT DEFAZIO. Patrick, followed by Joni Rabinowitz and Peter Wray.

MR. BACARDI: My name is Patrick Bacardi. I'm a Penn Hills resident. Thank you, Mr. President and Council, for the privilege to be able to speak in front of you. I'm basically also a person who has been on the fence. I'm an arbitrator and I understand that when there are difficult problems that both weigh in emotion and in reality of factual finances. I would just ask that you not be blinded by the dollars, but likewise, not be deafened by the loud voices. I would ask that you pare this down to the facts.

Fracking is occurring. There's no question about that. Will it occur under Park property, is going to be the question. I would challenge the contract to be properly worded and protecting the valid concerns of the people in the area, but also addressing the concerns of the county residents; also, concerns with energy and job production. However, once money is all spent, we're going to be left with what's left. I'm just challenging our contract, because I'm in favor of --- of the drilling. I am challenging that contract to be addressing the safety concerns, today, tomorrow and for generations.

Now if that's not possible, I'm going to ask one other thing, that we look at the possibility of putting in a non-grandfathered status into that contract. What that simply means then is if we opt to think about drilling in another park area --- not on the park property, but adjacent to it under the park property --- because we found out that there was a loophole, or there was something that was missing that we're being hurt by on this first proposal, this first contract with Deer Lakes, that they not be allowed to be grandfathered, so that we learn from that mistake. And then we do it better the next time, if there is going to be a next time. That's my comments. Thank you very much.

PRESIDENT DEFAZIO: Thank you. Joni, followed by Peter Wray.

MS. RABINOWITZ: My name is Joni Rabinowitz, and I live in Pittsburgh. Some of you have asked for more studies, and I respect that request. We've presented lots of studies, hundreds of hours of testimony, and there have

been many conferences on the subject, which some of you, I believe, have investigated and some of you have actually attended some of these conferences. I've lectured here a lot, but today is the first time that I want to say that I'm scared; I'm really scared. I'm scared because every time I open a newspaper, every day almost, there's another accident. I'll just tell you about three.

April 11th: Ohio finds link between fracking and sudden bursts of earthquakes, and this was the first one that was said to be created by the actual drilling, as opposed to the waste injection wells, which is how the previous earthquakes were supposedly affected. The whole problem is, no one knows about these faults until the earthquakes happen, because the faults haven't been reserved.

Here's another one, April 18th. Gas drilling waste --- wastewater leak found in Amwell, Washington County. What has been termed a significant leak of drilling waste has occurred at a Range Resources impoundment in Amwell Township, Washington County.

And I think this is the one where Mr. Pitzarella said that it was --- they're remediating the situation. But they don't have any idea how to remediate the situation, so they called in a consultant to find out how to do that.

And the third one is Monday, April 21st, just yesterday, I guess, truck crash causes fracking water and diesel spill into Chartiers Creek. Now I'm not only scared that it's happening, but that it's happening so fast, so much --- so much faster than the research and the monitoring and the enforcement can handle. It reminds me of the Gold Rush many years ago, which brought some benefits to some areas, but those places are now ghost towns. So I'm very scared, and I hope you will also have enough doubts --- not certainties, but doubts --- enough of them to vote this down. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Peter, followed by Lora Matway and Edward Chute.

MR. WRAY: Good evening. My name is Peter Wray. I live in Churchill Borough, in the district of Mr. Futules. Perhaps it's time to briefly review the key and relevant --- relevant points regarding the leasing of the mineral rights beneath Deer Lakes Regional Park. One, the County Executive is seeking Council's approval to lease

the Deer Lakes Park mineral rights, without Council having any input or control over that lease. In fact, if Council approves the ordinance, Council will effectively give the County Executive a blank check.

Two, although it is claimed that fracking beneath the park will provide jobs, Council has not heard exactly how many jobs will be created. In fact, it is reasonable to expect that not a single new permanent job will be created because of this solitary --- this one solitary lease; not one above the present employee base. Number three, the County Executive has continually asserted that Deer Lakes Park is in a dilapidated condition, with boarded up restrooms, et cetera. Documented evidence provided to Council shows that this is patently untrue.

Four, other parks in the system may need some repair and modest improvement, but so far Council has not been given any detailed measure of the measure --- any detailed measure of that need. Five, nor has Council been given any opportunity to consider funding for the parks, other than that obtainable from fracking. To date, Council has not even heard from the County Controller or Allegheny County Parks Foundation, regarding alternative funding streams. Six, the County Executive has gone to some length to assure Council that fracking beneath Deer Lakes Park is safe. In fact, the company that he chose to frack beneath the park has a poor safety record. From 2008 to 2012, DEP issued 187 violations at 17 percent of Range Resources' wells, with fines exceeding \$2 million. Seven, finally, the County Executive and the Parks Committee chairman have been very careful to make sure that the members of Council do not hear from any impartial experts, not only --- but only from selected representatives of the gas industry and associates of the County Executive. Council deserves better than this. The people you represent deserve better than this. Please vote against the Deer Parks ordinance. Vote no on Resolution 8182-14. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Lora? Lora?  
Lora Matway.

MR. PACKER: I don't think Lora Matway is here.

PRESIDENT DEFAZIO: She's what?

MR. PACKER: I don't believe she's here.

PRESIDENT DEFAZIO: Okay. Edward Chute, followed by Nancy Hall.

MR. CHUTE: Once again, time now for something completely different. I am Ed Chute. I live at 904 Valleyview Road in Mount Lebanon. You may call me nobody, because I'm with the other Mr. Nobody and the famous nobodies of literature and history. I attended the Parks Committee meeting with its Chair's invited, limited and restricted experts. I wish to compliment members Means, Danko, Kress and Heidelbaugh, who asked significant and probing questions, demonstrating a genuine effort to evaluate the ordinance and its ever-changing lease. These members showed that they have spent a great deal of personal time educating and informing themselves, had listened to what residents said and had studied mountainous materials.

Range Resources' expert representatives mainly answered by saying they would get their responses to the committee next week. Mr. Fitzgerald and his long-time compatriot and follower, Mr. Futules, are once again to be congratulated on the diversity they invited to speak: no person of color and the only woman, the newly-appointed Health Department director. The Parks Committee itself provided three times that diversity with its own elected members.

George Bernard Shaw said, every people has the government it deserves. It is more to the point that every government has the electorate it deserves. For the orators of the front bench can edify or debauch an ignorant electorate at will. Thus, our democracy moves in a vicious circle of reciprocal worthiness and unworthiness. I concur with GBS, because I sense that our County Executive, a number of his appointees and a couple Council members are unworthy elected, hell bent on debauching what they perceive to be an ignorant electorate.

I am impressed with the many residents who have expended enormous energy and amounts of personal time to protect our parks from the egregious attack on them by the County Executive. Range Resources made it quite clear to the Parks Committee that Executive Fitzgerald contacted them about extracting natural gas at Deer Lakes Park, and they had not previously intended or planned to extract the gas from under Deer Lakes. Range also noted that their plan had been to drill horizontally away from the lake ---

I'm sorry, from the park. Kudos to Range for publicly identifying the real villain in this play.

Something stinketh in our county government, and it isn't the electorate. As Juliet says, I have no joy of this contract tonight. It is too rash, too unadvised, too quick, too sudden, too like the lightning which doth cease to be, ere one can say it lightens. Lightning is the speed that Rich Fitzgerald and his accomplices are pursuing, so that the electorate won't notice that they are being debauched along with our democracy. Shakespeare's play ends in a double suicide and nobody wins, which is the path the County Executive, the Council and our Parks are on if the ordinance and lease are approved too rashly.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Nancy Hall, followed by James Protin (phonetic).

MS. HALL: My name is Nancy Hall, and I am a resident of West Deer Township for 39 years now. I talked to you before. You know I love Deer Lakes Park. We're an outdoor family, and I truly love that park and I care about that park. I didn't want to speak about this to you today, but listening to Mr. Fitzgerald talk on KDKA the other day, it kind of sent me through the roof a little bit, so you'll have to indulge me. On December of 2013, during the County Council meeting, the Chief Executive's quarterly report, Mr. Fitzgerald stated that the bathrooms at Deer Lakes Park were padlocked or boarded up. I couldn't find that video on the site, so I don't know his exact words. And on March 12th, 2014, after the documentary, Triple Divide, I approached Mr. Fitzgerald, because I petitioned the Deer Lakes --- Deer Lakes and Hartwood Acres and that area, and I know that people are against it. And he volunteered to me that Deer Lakes Park only has Port-a-Johns. I told him that I was a frequent user of Deer Lakes Park and that's not the case. He then said his staff must be misinforming him. On April 18, 2014, on KDKA Radio, Mr. Fitzgerald stated that they, referring to Deer Lakes, don't even have a bathroom in that park. In order to put this dialogue to rest, because we've been hearing about this from day one, that the bathrooms at Deer Lakes Park are whatever, I present the following photographs.

This is --- these are the new bathrooms that West Deer Township supervisors told us are only five years

old. And there, I believe, are four in the park, and they're all in areas where, you know, the playgrounds are and the picnic sites, et cetera, are. This here is one of the new bathrooms, and this is the boarded-up padlock one. And you can see it's in close proximity to the --- the new bathroom. And this is the Port-a-Johns that they just put in the park right before the hearing. And I think they typically do that for the busy season.

This here is the playground. This is in very close proximity to that bathroom which is --- it's within walking distance, but there's also a Port-a-John. I have other things I want to say. I have to do this quickly. Here's another area. Here's the boarded-up bathroom down over the hill. This is new. It's right there. This is that same bathroom right beside a brand new pavilion that is just about completed. They knocked it down, probably, January, February, and they're completing it.

Our staff at Deer Lakes Park does an excellent job on that park, and I think we're doing them a great disservice talking about the park in the way that it's been done.

(Applause.)

MS. HALL: Can I have an extra minute?

PRESIDENT DEFAZIO: Go ahead.

MS. HALL: Okay. The bathrooms at Deer Lakes Park seem to have taken center stage of why we need to industrialize it. I'll leave these photos here for the staff to provide to Mr. Fitzgerald. I feel very strongly that public parks belong to the public and should not be industrialized. I want to publicly say that I am not an extremist. I am not usurping the democratic process, as Mr. Fitzgerald said on KDKA. I am engaging in a democratic process. I feel our voices are being heard less and less in this country, and it frightens me. I never thought I would have to stand up before the public and beg to have our parks remain parks. But to be criticized for it by someone that should applaud the democratic process is upsetting and very disappointing. My father was a veteran of World War II. My husband is a Vietnam veteran. And we all know that thousands of our men and women have served and continue to serve to protect our right to free speech. Therefore, I have the right to speak out.

Mr. Fitzgerald was very outspoken on Friday towards those that speak up against fracking in our county

parks. This is distracting from the real issue, that seems to be the new tool in our political process and our government. I would like to say this topic has been draining on all of us. Let's work towards open communication, respect for the process and respect for each other, no matter what your viewpoint is.

(Applause.)

PRESIDENT DEFAZIO: Thank you. James Protin? James Protin? Gwen Chute, followed by Steve Mazza, followed by Kenneth Weir.

MS. CHUTE: Hello. I'm Gwen Chute at 904 Valleyview Road in Mount Lebanon, and I also represent the over 5,000 members of The Allegheny Group, Sierra Club. I was present at last week's committee meeting, so I would first like to publicly thank the council members who had obviously devoted significant time and effort to prepare for the meeting with many well-thought-out questions. In particular, my thanks goes to my District 5 councilwoman, Sue Means, as well as Ms. Heidelbaugh and Mr. Kress. Second, I want to register a complaint about what seems to me to be a procedural violation during that same committee meeting.

While a few Protect Our Parks members in attendance sat quietly and respectfully through the entire lengthy meeting, Mr. Ed Valentas of Huntley and Huntley, who was not one of the invited speakers, was permitted to answer questions that were not even addressed to him. This behavior met with neither interruption nor reprimand on the part of Mr. Futules. Rather, Mr. Valentas was invited, like an old pal, to move forward and effectively join the panel by sitting just behind them, where he continued to spew his outrageous and insulting factoids, calling the Academy Award-nominated documentary, Gasland, good fiction and asserting that it was funded by OPEC. I did note a serious lack of true experts on the panel of invited speakers. While the meeting topics were to be environment and safety factors, for example, not a single environmental expert was invited. And while the panel invitees, composed of Range Resources and others handpicked by Mr. Futules, most likely as directed by Rich Fitzgerald, were in my opinion, spectacularly ill-prepared to answer questions on those topics, Ed Valentas was certainly no substitute for real experts. He should not have been permitted to weasel his way onto the panel as he was permitted to do; no, invited to do.

Third and finally, I'm sure that by this time, you are all pretty sure of where I stand on the issue of fracking in our county parks. I take another opportunity now to implore you to resist the temptation to sign the ordinance and cede to the County Executive, who cannot be trusted to act in good faith, a blank check allowing him to do whatever he wants with our parks --- our parks. Clearly, his sole motivation is to use our parklands to generate industrial profit at the expense of clean air, pure water, recreational enjoyment and quiet solitude now offered by our parks and mandated by the Pennsylvania Constitution. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Let me say one thing. Ed Valentas was invited, but he wasn't on the list. There was a mistake made. He didn't --- he just didn't come and then jump in. He was supposed to be --- because I mentioned it to Nick. I said, here's Ed Valentas; you guys don't have him on --- you didn't have him on the list, but he was supposed to be here.

UNIDENTIFIED AUDIENCE MEMBER: You can't do that if he wasn't ---.

PRESIDENT DEFAZIO: Well, okay. Believe what you want to believe. No matter what I say or do, it's not going to change anyway, but that's the truth. So you know, talk about it later. Okay. Next, Steve Mazza.

MR. FINNERTY: I don't see Steve here.

PRESIDENT DEFAZIO: Kenneth Weir?

MR. WEIR: Kenneth Weir, Lincoln Place, 31st Ward. I'm not speaking tonight on the harmful effects that this industry has on our population. On this issue at this point, you will either believe it or you won't. I'm not even speaking to those on Council who have decided a long time ago that they were going to fall in lockstep with Mein Fuhrer. We all have reasons for the way we vote. I'm addressing those on this council who are not sold on the steps that Rich Fitzgerald has used to further his political career. Where there is smoke, there is fire. First, we have an e-mail to the corporations asking for money --- begging for money, prostrating for money. Second, we have the hiring of Mike Mikus to run his election campaign. Third, we have the letter from Huntley and Huntley pushing Rich Fitzgerald for County Executive. Fourth, we have the fundraisers where the companies involved in this saga have given large sums of money.

Fifth, we have the fast track leasing of the airport to Gary Slagel and CONSOL Energy.

Finally, we have the drilling under our Deer Lakes Park to the same corporations who have showed up in these past sitcoms. What is it going to take? Council has the right to be involved in this process from the start to finish. There is one person, and only one person, who will gain from this deal, Rich Fitzgerald. The gun is smoking right before your eyes. All of you know this. The facts point only in one direction. This is wrong for all the right reasons. Every person who spoke previously has --- favorably on this issue have a financial stake in this game. I, and everyone who has spoken against, do not.

My ego nor my wallet is not involved. I wish and hope that I am wrong. However, I believe I am right about the polluters and their medicine. However, for every expert that I put forth, this industry can put forth 20 more with their money. It's all about confusion. But I know I'm right about one thing, and that's Rich Fitzgerald. This gun is smoking, and you don't have to be there to see it being fired. The leasing of this land at this time amidst all this controversy to be pushed forward, is for one reason and one reason only, Rich Fitzgerald and his paybacks.

You all have reasons for the way you vote. If the council people I am addressing can understand that this is an opportunity to bring this county government back from the dark and into the light, then that's who I'm speaking to. And I'll leave it with this; corruption is only good if you're on the side of the corrupted. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Loretta Weir, followed by Eva Mastropaolo. Loretta Weir?

MS. WEIR: Hi. Loretta Weir, 4544 Homeridge Drive, Munhall --- well, Pittsburgh, 31st Ward. Mailing address is Munhall. I'm feeling like I'm in a reality sitcom here with the Council. I'm actually becoming really fond of some of you guys, though. I wanted to welcome back the one-hit wonders that have recently surfaced in honor of their hero, Rich Fitzgerald. But for some reason, they're allowed to speak and leave and take off. We have a lot of stuff to do, too, but we make this time to be here because democracy is important to us. I

don't know why no one cares about it anymore, but you will some day when you don't have it.

I would also like to welcome everyone to County Fitzgerald, where the evolutionary clock ticks backward. There's an entire history we could look to and see what's coming, but that would require more reading than our one-hit wonders are willing to commit to. Speaking of these no-brainers, we sounded alarms about Rich Fitzgerald, his e-mail to big oil and gas --- my husband just did it again --- we are saying extortionist, not contortionist. So I think everyone needs to listen and pay attention to what this man is doing. Okay?

I try not to contaminate my mind by listening to Mike Pintek, all right, but I did the other day. I tuned in a little too late when I told that Rich was on there lying his rear end off. And I heard him say, for God's sake, Mike, there's not even a bathroom in that park, which is another lie. He threw Council members under the bus, because you ask too many questions. You're an inquiring mind. You're way too bright to be on this board, Ms. Heidelbaugh. But I digress, and I will play words with friends. Okay? These are the kind of things we have to sit here and listen to. I'm exhausted with it. I'm hoping it's a bad dream.

There has never been a case of contamination or a negative health outcome from fracking. Fracking cleans our water and our environment. If I, Fitzgerald, don't wheel and deal, we can't guarantee Range or Huntley is going to remain honest. Oh, exemptions from clean air and clean water and super fund, don't worry. Range and Huntley will --- they're watching these things for you. You don't have to worry about it. Act 13; we don't need to understand where the Constitution was violated or why there are gag orders on our doctors or why there are proprietary mixes. We don't have to know any of this stuff. What, they have it there because they love you. They want you guys to get jobs, especially minorities, like that lady with the scarf around her neck that comes and keeps saying. Oh, and don't forget, God Bless America. It's been exhausting; it's been exhausting. Then we have Matt Pitzarella, Matt Pitzarella who said, this cleanup, oh, this is nothing, that spill. This is the man who lied about having a degree. He doesn't even have a degree that he claimed to have. Okay? He's a

liar, Fitz is a liar. I'm tired of it. Honestly, I'm actually tired of it.

Then we're told --- I just have to say this. When the one-hit wonder that just came here today and said people are lugging weed whackers and mowers to visit the park, I was like are you kidding me? I asked Pia --- I was hoping they didn't get arrested for public urination in case they had to go to the bathroom with hands around the park, because I knew there were no bathrooms there on Saturday.

(Applause.)

PRESIDENT DEFAZIO: Eva, followed next by Walter.

MS. MASTROPAOLO: I'm Eva Mastropaolo, 460 Austin Avenue, Mount Lebanon. And I just wanted to start out ---.

UNIDENTIFIED AUDIENCE MEMBER: Talk into the mic.

MS. MASTROPAOLO: Okay. I just wanted to start out just by giving you some information. Incidentally, thank you for listening to all of us. I appreciate your giving time and listening to all these good people and their good reasons why we shouldn't have fracking. And my father was a scientist, and he would take my sister and I out into the woods every weekend. He'd always say, do you want to go hiking? We'd say yes, and we'd go hiking. It was a great source of joy to us. We were at peace and contentment. And this has influenced me my whole life.

I've been a lover of Mother Nature, and it's not just me. All through my life, I've met many people who feel the same way I do. And I am a retired special ed teacher, and I saw this in some of my very severe special ed kids. For example, I worked with kids for a while who were sever behavior disorder, kids with very severe behavior disorders. I'm sure some of them are now in prison or have been. These are kids who were in a self-contained classroom. They could not even go to the bathroom without a teacher with them. They were ages 14 to 18. And we took them out in the woods, and one day where it was a very beautiful --- a big passive park; nothing fancy, no fancy bathrooms. And we were taking a nice walk when luck would have it, it started to pour rain. So here we are. These kids --- some of them were kind of chunky, some --- one guy was 6'3", the one kid had had his teeth bashed in. I mean, these were a wild bunch

of kids running through the woods. We got to shelter. And when we got back to school that afternoon, one of the kids, one of the rougher kids, said to me, he said, you know, he said, if I ever hear you tell anybody what I'm going to tell you, I'm going to, quote, kill you. He said, I really enjoyed today. I had a wonderful time.

And I also worked later with kids with severe autism. These kids were non-verbal and were very aggressive danger behaved --- dangerous behaviors to themselves and to others. We took them in the woods, and it was the same thing. We could see the peace and happiness on these kids' faces. It was --- it spoke volumes. I'm losing my place here. Anyway, another point I wanted to make was, Pittsburgh has been known now for technology and education, enlightenment. And the way I see it is, if we do start fracking, this is going to be a giant step backwards. We should be spearheading better ways to produce energy. We are Pittsburgh; we can do this, gosh. We were chosen, after all, for the G-20 conference. That's one reason why we were chosen. We're special, so ---.

And I'd like to just say also I don't want Deer Lake Parks to become known as Dreary Lake Parks, dreary, which it will be if we do frack under Deer Lake Parks. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Next, Walter, followed by Kathleen Krebs (phonetic).

MR. MASTROPAOLO: Mr. President, Council members and fellow citizens, I am Walter Mastropaolo. I live at 460 Austin Avenue, Mount Lebanon. I strongly oppose the extraction of shale gas from public lands; specifically, Deer Lake Park. I wish to make the following comments in this regard.

If extracted, the carbon represented by the shale gases beneath Deer Lake Park will contribute to climate disruption, which, next to nuclear war, is very likely the most serious threat to human and all life on earth. This risk is summarized in a quote from an American Association for the Advancement of Science paper, outlining what is known about climate change; quote, the overwhelming evidence of human-caused climate change documents both current impacts with significant costs and extraordinary future risks to society and natural systems, end quote.

I've included the link to this report in my handout, which I'll give you, and plus a consensus report from an international panel of hundreds of climate scientists. Number two, from the testimony --- from the testimony I've heard before Council and from what I've read, I would not trust Range Resources to pay the county what they promise, nor would I trust them to avoid serious environmental impacts from the additional extractive activities required to exploit the shale beneath Deer Lake Park.

I am uneasy that county government is even considering entering into a major financial agreement with this company. For these reasons, I respectfully urge the council to leave the shale gas safely sequestered far below our public parks by voting no on this highly suspect proposal to allow our parkland to be exploited for profit of a disreputable company and the financial benefit of few. Please provide the leadership to move us away from the 19th century boom-and-bust energy sources and make every effort to promote the 21st century, sustainable, high-paying jobs and energy efficiency and renewable energy sources that will leave a planet, a livable planet for our children and grandchildren. Thank you for your time.

(Applause.)

PRESIDENT DEFAZIO: Rick Grejda.

MS. KREBBS: Good evening. I'm Kathleen Krebbs, from Brighton Heights, 15212. I regret that I have to read this statement because I would very much welcome the opportunity to look each and every one of you in the eye. I'd like to draw your attention to Spike Lee's movie, Do the Right Thing. Doing the right thing is a personal challenge to each and every one of us. We may be ostracized, demoted, fired, disappoint people. I am hopeful and I am prayerful that all of you will do the right thing and vote against the ordinance to frack in or around our public land. I'm operating under the assumption that all of you are good people and that you are in your positions because you genuinely care about our community. I also believe that as critical thinkers you will be able to use your God-given deductive reasoning skills and be able to separate fact from fiction. There is no best practice in the fracking industry, and there are no rigorous quality control measures. It is a get-in-and-get-out industry that ravages the environment,

scars the earth and leaves desperate people behind, or they leave people behind that are muted because of gag orders. An industry that is socially responsible would readily welcome transparency and not quash, as an example, a physician's right to reveal the harmful chemicals in a human toxicology report.

A socially responsible industry would readily divulge all of the chemicals that are used in these processes. To conclude, I pray that you will seek out the experts, that you read unbiased material, as my other healthcare colleague mentioned, Solutions Project, and that you will not be coerced into a decision that will disrupt your peace of mind for the remainder of all of your lives. Please know that I am praying for each and every one of you, and I hope that you can stay strong and to do the right thing. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Is Rick Grejda here? Okay.

MR. GREJDA: Good evening. My name is Rick Grejda. I'm a business agent with SEIU Local 668. I'm not here to talk about fracking tonight, we did that last week, but we are talking about public safety. I'm a former Allegheny County 9-1-1 dispatcher. I'm also a former City of Pittsburgh dispatcher. As most of you are probably aware already, our legislation that funds the 9-1-1 system through the state expires this summer. As such, it's very important that we address this issue now versus after it expires. Basically, all across the state and including here in Allegheny County, budgets are being stretched thin because --- due to the high costs associated with the new 9-1-1 technologies. We don't have enough money.

You know, these technologies cost tens of millions of dollars. It's a hefty price tag, but these technologies save lives. And we can't put a price on anyone's life. Last week was National 9-1-1 Communications Week. We want to thank the County Executive for that proclamation recognizing the 250-some dispatchers that do this job every day. Last year they processed more than 1.4 million calls in all 130 municipalities across Allegheny County. That's a lot of work. I know we have some new members on Council. I'd encourage you to come up and visit the 9-1-1 center in the next 30 days. Talk to these workers and see what they do

on a day-to-day basis. And after you do that, I need each of you to contact your counterparts in Harrisburg, so we can find a formula that funds 9-1-1. If we don't find a formula that properly funds it, we have to come back here next year for 2015 and find the money in a county budget that does not have these dollars.

You know, this funding expires in June. They simply want to renew it for six months. It didn't work last year. It's not working this year. We have to fix it. The County Executive is aware of this. You know, we just have to keep it on our radar. So I would ask you guys to visit 9-1-1. Talk to the workers, and work with us as we move forward on getting Harrisburg to properly fund the 9-1-1 system. So if you have any questions, please contact me. And I'm glad I came back this week. That way, I can't be called a one-hit wonder. All right? Thanks. Have a good night.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Lucas Lyons, followed by Jeff Cohen and Fran Harkins (phonetic).

MR. LYONS: Lucas Lyons, 1902 Meadville Street. First of all, Huntley, thank you for coming back for your third meeting. We appreciate it.

UNIDENTIFIED AUDIENCE MEMBER: You're welcome.

MR. LYONS: All right. Let's start off by saying, every time someone from the industry or some union representative comes up and --- I'm pro-union, pro-jobs, just like everyone else in the room, a no-brainer, but every time someone gets up from the industry and says, this is all about jobs; this is all about jobs; this is all about jobs, my council needs to respond to them, how many, how long, every time. Okay? This is 12 wells under a county-owned park, our park. Twelve (12) wells are not going to produce a single permanent job for this area.

(Applause.)

MR. LYONS: We can debate the big grand, you know, fracking versus the environment, we can debate that some other day. But 12 wells, what you're voting on --- and that should be all you're voting on --- is not going to produce a single job. Second, quick story, and then I'll tie it together. So last week my uncle came down, because I told him I'd been speaking in front of County Council for a while. And he's a landowner out in Westmoreland County, right on --- right by White Oak, Mr. Macey. And he's actually the president of Rotary out

there for Westmoreland County, as well. And Rotary is very pro-fracking --- you're Rotary as well --- very pro-fracking, very pro-business.

He came down and he watched our meeting last week and he goes --- oh, did I say, he also has fracking wells. He has a bunch of land, a bunch of fracking wells. He came down here and he said, this isn't about pro-fracking, against fracking, environment versus jobs, this is public land. He goes, I cannot believe, as a man with fracking wells, that this county is actually thinking about fracking public lands. Okay? So why do I say that? That's a pro-fracker very upset about --- very upset about the use of public land for private gain. By the way, thanks for 17 percent royalties from my own land. That would be like me giving you \$1 --- no, you giving me \$1 and me giving you back 17 cents. It's like --- you know, like, it's not a good deal. I want 85 percent. He can have 17 percent. It's my land, you know?

Anyway, to tie it all together, I sent a bunch of you three studies. Okay? I sent you three studies that showed people even in favor of fracking were against it in public parks --- one by the University of Pittsburgh, one by Muhlenberg University --- three scientific studies that said even pro-frackers are against it in public parks, state parks and natural game reserves. You have e-mails. All three of the studies are there, so a vote no is a vote with the public, and then you guys can debate, you know, the big environment versus jobs and industry another day. Vote no and let's move on to the rest of business this county needs to be doing. This is getting old, and I'm getting sick of seeing these guys in my meetings.

(Applause.)

PRESIDENT DEFAZIO: Jeff Cohen? Jeff Cohen is not here. Fran Harkins? Thaddeus Popovich, followed by George Duca (phonetic).

MR. POPOVICH: Good evening. Thaddeus Popovich. I live in the Borough of Ben Avon, 6606 Virginia Avenue, Pittsburgh, PA, 15202. Let me start --- we talked about bathrooms a lot. I'll put my two cents in about bathrooms, like it or not. I hiked seven miles last Saturday from North Park to Hartwood Acres. I used a bathroom in each place. They were all open, they were finely serviced, thank you very much, and the parks were in good shape. Then I motored over to Deer Lakes Park ---

never been there --- lovely park. I used the bathrooms there, and they serviced them there. Okay. I'll move on; I'll move on.

During last week's Parks Committee hearing, I understand that Ed Valentas, VP, Huntley and Huntley, made the slanderous comment that the Protect Our Park campaign, by association, is being financed by OPEC. And I just --- I just couldn't believe that, so someone must have gotten that wrong. So wow, fact-based, expert testimony at its finest. I'm insulted. On a saner note, I understand that tough questions were asked about water contamination issues, especially from members Heidelbaugh, Kress and Means. Thank you very much.

And let me just highlight some of the questions and answers that I heard about. Are there any cases of water contamination in Pennsylvania? Alan Eichler, DEP: only from spills, and those were small in number, believe it or not. How close to the park will well pads be? Answer from Huntley and Huntley: Very close, just across the road. Are Deer Lakes Park's lakes already polluted? We keep hearing that. I don't think we've had an answer. But I saw people fishing there. The lakes were stocked. I didn't see any signs not to eat the fish. Will the lakes be monitored for pollution? I don't think we got an answer on that one.

It was noted that all the witnesses were either from the industry or political appointees of Mr. Fitzgerald. Why didn't Chairman Futules get truly independent and objective witnesses; he's not here. Okay. Dr. John F. Stolz of Duquesne University, could have been called in to be an expert witness. He is the Director of the Center for Environmental Research and Education. And you may recall, he organized the Research on Gas Shale Extraction Symposium held last November. All Council members were invited to hear and meet the experts. And I've indicated the conference video site where you can get all those testimonies. We have yet another chance. Dr. Stolz and his team have been studying the water contamination in the Connoquenessing Woodlands of Butler County. Dr. Stolz will speak about their findings this Saturday. Please come. I will be there. Rex Energy has been the fracker in that area since 2011 and has affected water wells. Thirty-four (34) families since then now pick up drinking water from a donated water tank at White Oak Springs Presbyterian Church each Monday, while they

wait for a more permanent solution. Isn't that sad?  
Thank you.

(Applause.)

PRESIDENT DEFAZIO: Next we have Angela Barone. Instead of Joseph Barone, we have Angela. Oh, I'm sorry, George.

MR. UHA: That's quite all right. I'm George Uha (phonetic). I live at 203 Essex Knoll Drive, Moon Township, Pennsylvania. First, I'd like to congratulate President DeFazio and Council member Martoni on their awards. They're well deserved; fantastic. Appreciate that. Nonetheless, I'm here on behalf of Protect Our Parks organization. I forgot my green scarf. I want you all to protect our parks, and I want to explain to you why. Okay? First, if we drill in our parks, what would be off limits? Once we drill in the parks, where wouldn't we drill? Anybody want to answer that --- cemetery maybe, schools? We're already doing that. Not in Allegheny County as much, Beaver County, Greene County, Susquehanna County; pretty much, every one of them.

Beaver County is right on both sides of the schools. It's a bad idea. I'm against it, in, under, around, anywhere near any of our parklands. Why? Because it establishes a precedent. That's why. It says it's okay. And from that point, it's pretty much anywhere. And look at other areas in the country, unfortunately. You think residential areas are off limits? Don't bet on it. I bet you'll see it. It's okay. We have other areas that are more suitable for industrial development; we do. Not the parklands. It's really a bad idea. Cross Creek Park; I used to fish there. I don't fish there anymore. Why? Because Range Resources had a leak there. That's why.

And a week ago it's reported that the John Day unit in Amwell Township, their impoundment leaked --- significant. I like that word defined. You know, one in ten inspections yield a violation. 431 wells have been plugged of the 8,136 wells under development right now. That's 5.3 percent of them. Plugged means there's a problem. Five percent failed. The well casings failed right off the bat. That's an industry statistic. You got 10.3 percent there. One in ten wells that's going to have a problem; not a good idea. Well, with 25 percent of the active wells having violations right now, I think we need to really think about what we're doing. One, the National

Academy of Sciences flew over the southwestern Pennsylvania for two days. You don't see that article anywhere. It's sad. Unfortunately, 100 to 1,000 times the amount of methane emissions that were expected to be there are in this article. I will leave it for you.

I'm going to leave you a copy of Range Resources violation reports. Now it's a shame that when I see industrial activity being considered on public land, in a park area that is not for industrial activity, period, I come back to a couple things. And I want you all to try to do this if you can. When it comes down to the industry, we need to put an additive into what goes into the hydraulic fracturing process in every well in Allegheny County, period. It would establish any --- right away, you'd know if something was contaminated. Okay? We need to get the local universities and colleges on board to help out with testing. That would be a good idea.

No open impoundments, period. I would be glad to meet with any one of you at any point in time to discuss this further. I'd welcome that opportunity. Thank you very much.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Angela, followed by David Machek; and then after that, Tom Meyer (phonetic).

MS. BARONE: My name is Angela Barone, and I live in North Versailles, Allegheny County. I have lived with my family in Allegheny County my entire life, and I am currently purchasing a home in Allegheny County. My family has four gas wells drilled on our property, all of which were fracked. In the beginning, my family had concerns about the condition of our property, but I can honestly say once the drilling was completed, we were more than happy with the condition the property was left. Grass and trees were replanted, and the property was just as beautiful, if not more. We have never had any problems with the wells or the surrounding area. As a man who owns his own construction company, my father would never put his family or the surrounding neighbors in danger. After being raised here, I had a desire to stay in Allegheny County and looked for a job that would make that possible. I attended the University of Pittsburgh in Oakland. From my sophomore year to my senior year, I was an accounting intern with an oil and gas drilling company. After I

graduated, I chose to go into public accounting in order to get my CPA.

After four years, I re-joined the same oil and gas drilling company that I had interned for, because I believed in the dream that they had. I support oil and gas drilling, because I believe other people will benefit from the jobs the Marcellus Shale industry creates, just as I did. As a young woman who plans on having children and a family that lives in this area, I would not be part of something I believe would hurt the parks that my children could play in or the area we live. I am happy to reside in an area that Marcellus activity is taking place, because our community will continue to benefit from this.

The potential Marcellus activity means some of the employees will live in Allegheny County and will help fund the tax structure and utilize county educational resources and the tremendous medical institutions located in Allegheny County. In closing, I am here in support of Marcellus Shale drilling under Deer Lakes Park.

(Applause.)

PRESIDENT DEFAZIO: Thank you. David, followed by Tom Meyer.

MR. MACHEK: Thank you, Mr. President and members of Council. My name is Dave Machek; address, 100 Oak Park Place, Pittsburgh, 15243. I'm here tonight to give my strong support for the proposal to drill for natural gas under Deer Lakes Park. I'd like to cover three brief points in my comments. This project makes sense from an environmental perspective and from an economic perspective. And it is being done in an area where oil and gas has been extracted for years with a proven track record of safety. There is no risk to the county under this proposal. A drill pad that's outside the park's boundary and more than a mile from areas used by park visitors, will have no impact on the environment or the visitors' experience. All the activity needed to access the drill pad and support the drilling of the well will occur outside the park's boundaries. People making claims about potential environmental damage here in this case are simply ignoring the facts about oil and gas drilling. The financial windfall that will be realized by the county for a no-impact lease will provide benefits to the county and the county parks at no cost to us, the taxpayers. I've read information about the demanding conditions of this lease and the generous lease payments

and royalty payments over the term of that lease. And I expect you would not find a more environmentally restrictive or financially attractive lease in all of Pennsylvania.

To walk away from those benefits would be absolutely foolish. I've also read a lot about the amount of drilling that is taking place all around Deer Lakes Park in the past ten years. There are 110 shallow wells in operation there right now and almost 20 deep Marcellus wells producing natural gas, with one existing pad being less than a mile from the park border. These wells were drilled safely and without any public outcry. Let's also remember, as far as industrial activity, that the drilling rigs, the hydraulic fracturing equipment and all the other activity associated with drilling those wells are gone. And those wells are going to continue to produce gas for decades.

But the same thing will happen with these wells. The operations are only temporary, and the wells are going to produce energy and financial benefits for decades. And I've heard a lot about vast environmental degradation. To buy into that is to buy into a conspiracy theory that starts at the top: the president of the United States, the Department of Energy ---

(Outbursts from audience members.)

PRESIDENT DEFAZIO: Let the person speak.

MR. MACHEK: --- the Department of the Interior, the Environmental Protection Agency and all of the different administrators who have been in that position, particularly under this administration, 32 states that produce oil and gas, the Interstate Oil and Gas Compact Commission, the legislatures of all of those states and the entire industry, from the president down to the smallest oil and gas producer, that we're all part of some conspiracy to --- that this environmental degradation is taking place and that everyone from the president on down is ignoring it. That is false. I encourage Council to support this lease and vote yes. Thank you for your time.

(Applause.)

PRESIDENT DEFAZIO: Thank you.

UNIDENTIFIED AUDIENCE MEMBER: Who do you work for?

PRESIDENT DEFAZIO: All right, now. Go ahead.

MR. MEYER: Good evening, President; good evening, Council. My name is Tom Meyer. I'm a resident

of McCandless Township, home to North Park. I'm also a lifetime resident and long-time taxpayer of Allegheny County. I'm here tonight to share my support for the proposed drilling activities beneath Deer Lakes Park in Allegheny County. This park, like many other county parks, including North Park, is public property, owned and paid for by all taxpayers of Allegheny County. These parks offer valuable public resources and recreational opportunities for all residents to enjoy.

Unfortunately, we've witnessed the impact of reduced funding levels available over the years, as the county struggles to even provide a minimum amount of maintenance to our parks and the amenities. A natural gas drilling lease like the one being considered before Council for Deer Lakes Park, offers the ability to utilize an additional resource of the park that will generate necessary revenue to enhance the value of this park and other county parks. Every person in this room tonight and everyone in the county benefits from the extraction of natural gas in every aspect of their life.

While it is an individual right to stand up and oppose projects such as this, most people don't fully comprehend and/or appreciate the positive impact natural gas has on our lives. It heats our homes. It's used to cook our meals. And more importantly, it's reducing the dependence of energy imports and providing our nation with greater energy security. For decades, companies like Huntley and Huntley have been safely extracting natural gas from the ground for the advancement and overall improvement of quality of life. The Deer Lakes project should be no different. We should embrace this project and even look to maximize the resources, if possible, at other county parks in the future. I urge County Council to approve this lease. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Alissa Weiss (phonetic)? Alissa, followed by Paul Burke. Paul? Is Paul here? Okay.

MR. BURKE: Good evening. My name is Paul Burke. I am with Huntley and Huntley, Vice President/Counsel, Monroeville. Someone noted today, it's Earth Day. I think that is significant. And what I wanted to highlight with some comments is the environmental benefits of developing this natural resource. Frankly, thanks in large part to development of

Marcellus Shale and other shale in the United States, CO2 emissions in the United States are at their lowest level in 20 years.

In fact, the Intergovernmental Panel on Climate Change in this latest assessment, gave a lot of credit for the dropping in greenhouse gas emissions in the United States to the rapid deployment of hydraulic fracturing and horizontal drilling technologies, which has increased and diversified the gas supply in this country. Gina McCarthy, the head of the United States Environmental Protection Agency, credits natural gas as being a, quote, game changer in achieving emissions results. That's what's happening here.

We're sitting at the epicenter of the Marcellus Shale formation, which is the second largest natural gas field in the world. There's over 2,000 Marcellus wells currently in Pennsylvania. There will be more drilled over the decades to come. This is not a short-term flash-in-the-pan project for resources. It's a long-term project, and resources will be able to be developed for decades. There was a recent study released in December. It was authored primarily by the University of California at Berkeley physics professor Richard Muller, who came to a sobering conclusion that environmentalists who oppose the development of shale gas and fracking are making a tragic mistake.

And the tragic mistake cited in that report is the fact of the benefits of development of natural gas replacement of coal, using it, it cuts down on both air pollution and greenhouse gas emissions. If this were to be used --- this could be used globally, this report --- resources globally would have a huge impact around the world on release of greenhouse gas emissions, which the IPCC cites as being comparable in climate change warming. The other thing that I think some environmentalists are worried about, that natural gas will somehow crowd out renewables, such as wind energy or solar energy. It is actually to be used as a partner, a catalyst for further development of those, because cheap natural gas makes it easier for solar and wind energy to further penetrate electricity markets providing the rapid backup that those intermittent sources require. The sun doesn't always shine; the wind doesn't always blow. We have natural gas available as backup for generations. Those can be complimentary for one another. Thank you very much.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: John Byers (phonetic)?

MR. BYERS: Good evening, everyone. My name is John Byers. I'm from White Oak, Pennsylvania, in Allegheny County. I also have 200-plus acres of farmland in South Versailles Township. I heard a lot of argument tonight, passionate argument, and that's a good thing, because any time you do anything, you got to research it and learn as much as you can.

UNIDENTIFIED AUDIENCE MEMBER: Microphone.

MR. BYERS: You want to research things and learn as much as you can. I don't have the expertise to determine how these things work and what is good and what is not good. But what I can do is research on the Internet. And I did see that Pennsylvania has laws in place, such as the Oil and Gas Act, the Solid Waste Management Act and the Pennsylvania Code, Chapter 78, that regulates gas and oil wells. They are also regulated by the DEP and our EPA. If you want to know what's going to happen in the future, you just look at what's happened in the past.

Everyone here is still going to heat their homes with gas, or one way or another. I think one of the points that was missed earlier from the previous speaker, is that emissions may be down probably because we're not using as much coal. One way or another, we're going to use gas. If you eliminate gas, you may run into a problem. If we suddenly got rid of all of our gas needs for automobiles and went to strictly solar power, we would run into the issue, the political issue where now we can no longer fund our roads or fund a lot of our government. A lot of our taxes are derived from energy. So this is going to be --- this is going to be absolutely necessary. We are in an oil economy; we're the gas economy. Whether we like it or not, it's going to be with us for a very long time. In summation, I think that this is going to continue, and I think we need to rely on our agencies, the DEP, the EPA and our state laws, to ensure that these things are done in a manner that are safe for the environment and benefit the people. And for that, I urge you to support drilling in the parks. Thank you.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: Jack Bailey.

MR. BAILEY: Jack Bailey, Creighton, PA. As a landowner of Allegheny County, I'm here to speak in support of Marcellus gas drilling under Deer Lakes Park and any other county properties. Not only will this drilling provide new revenue sources for the county, but the jobs this drilling will provide are desperately needed in Allegheny County. As a business owner, that has worked in Washington and Butler Counties before and after the gas well drilling started, I can tell you that I've seen the differences and the jobs have been provided, not only from the drillers themselves but from the companies that provide the supplies and support the drillers and the other sub-contracted companies that work with them.

These companies probably provide at least ten workers for every one you see working on a pad. And these workers with the new jobs also bring new spending. The lines at the local stores and restaurants in Washington and Butler County are packed now, compared to what they used to be before they started drilling, especially in the morning when they can stop at Sheetz for your coffee. The lines are out the door. Plus, you know, all these workers are also buying large dollar --- they're buying houses; they're buying cars, buying trucks. And all this spending also will provide extra revenue for the county.

Besides the new job, there's also property development. The business development in Washington County is booming. The need for office and garage space, for the people working on the wells up in Allegheny County will increase the property values because right now you can't even find a good business property in Washington County. They're all rented or bought up by the gas well workers' companies. And lastly, as a firefighter local at Deer Lakes Park, I want to acknowledge that Huntley and Huntley and Range has provided training and support for all local fire departments around us, including Huntley and Huntley donating a mock gas well emergency training simulation at Butler County Fire Academy. And also with Range, Huntley and all the other gas drillers, Wild Well Control is actually right in Mechanicsburg. If there is ever an emergency, they're only a couple miles down the road. Thank you very much.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: Next we have Mr. Anderson. He was speaking. I know he had to switch from --- who was it --- Herman Edwards?

MR. CATANESE: Yes, Andrew McCarthy.

PRESIDENT DEFAZIO: All right.

MR. MCCARTHY: Good evening. I'm Andrew McCarthy. I reside at Crawford Run Road in Frazer Township, which is also on the earth. I enjoy the earth just as much as anybody else, including the benefits and warmth provided by natural gas. I am a self-employed contractor that works with the oil and gas industry and have experienced drilling operations for 15 years. I'm here tonight to speak as a resident of Allegheny County, in support of leasing Deer Lakes Park. I have lived here in Allegheny County my entire life, and I always enjoyed the use of our many great parks.

I now live one mile from the Deer Lakes Park. I respectfully submit that the Commonwealth of Pennsylvania has some of the most well planned and stringent regulations in the industry to protect our environment, wildlife and the citizens. Someone here tonight mentioned jobs or the environment, you have to choose. Do you want jobs or do you want to destroy the environment? I suggest that both can and do exist together. An example would be that many jobs are created in this industry and outside of this industry, to safeguard the environment. And a lot of those jobs are, for example, designing and implementing the safeguards that are put in place to protect the environment and to safely produce the oil and gas.

I support development of all our oil and gas resources, because I believe it plays an important role toward gaining energy independence, which is long overdue and so vital to our prosperity as a people and that of our children's prosperity as well. Furthermore, I'm convinced as a commonwealth, that we, in Pennsylvania, do more and spend more and work harder to protect the waterways and the natural beauty of our lands than any producing region. Because of technology and experience, we have the power and the resources to provide the energy needs for generations to come, without sending our resources overseas. According to an article published by the Council on Foreign Relations, in March, the U.S. surpassed Russia as the world's leading energy producer. And the International Energy Agency claims that the U.S. will overtake Saudi Arabia as the top producer of crude oil

next year, neither of which is known as a leader in human rights or environmental protection.

I enjoy our county parks regularly. My children utilize Deer Lakes Park every day to play the disc golf course. I support the passing of the ordinance before the council, and I'm in favor of the lease proposed for the park as a fair lease providing an opportunity that these resources may be produced and utilized for the benefit of the park. And the gentleman whose uncle has fracking wells is always welcome to come to my meetings. Thank you.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: Ed Valentas?

MR. VALENTAS: Good evening, ladies and gentlemen. Ed Valentas, land manager for Huntley and Huntley. I reiterate that I entered the industry in 1980. I talk from experience, being on sites drilling wells. Again, I reiterate I've drilled every state in the Appalachian Basin, much deeper than these and hydrofracked them successfully. But the 1.1 million wells in the last 65 years have been hydrofracked safely, never damaging a water well; EPA, DEP fact; real estate values in Washington County where my son just purchased his first home at the age of 21, working for Range Resources as a product of the Vo-Tech Program. My wife, looking to buy additional land down in Washington County, we can't find it. Values are through the roof. Good properties never make it.

But I'm not here to talk about that. Those are factoids. What I take exception to is what is said tonight by a young lady, a recent graduate from one of the universities about jobs. We don't need those kind of jobs. Last week, I believe he was a chemist, spoke in pro of the environmental issues. We don't need those kind of jobs. I graduated Carrick High School in 1973. About 50 percent of the men went to the mills, half went to college. They had a great living. They could do as good or better, than their parents. I envied them. I questioned my choice. As the years passed and the mills closed, they had to jump into different types of employment, none as lucrative. Those jobs are gone. Look at Braddock. Look at Rankin. Look at Aliquippa. I admire the passion of our opponents here. Even though they are one percent of the population, I admire that.

But we need something besides the jobs at the universities, besides the hospitals. There are blue collar people out there that are welders and run equipment. Don't look past this. This is the second coming of steel on steroids, but it's safe, it's clean and it's a fact.

Don't be bullied by the one percent. The 99 percent of your constituents need you to move forward with this. And if we could ever get our cars on natural gas then I can save every family in America 50 percent of filling their vehicles every week. That's an economic stimulus which will also benefit, my friends, with 50 percent less emissions. I thank you. You need to step forward. You need to have the courage. Do the right thing for the 99 percent. Vote yes, please.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: David Yoxtheimer?

MR. YOXTHEIMER: Good evening, Mr. President, Council members and community members. My name is Dave Yoxtheimer. I'm from State College, Pennsylvania. I work for Penn State's University's Marcellus Center for Outreach and Research, as a geologist. My comments are intended to bring an objective perspective to the issue of shale energy development on or near public lands, such as those proposed for Deer Lakes Park. Energy extraction is a complex and often polarizing topic, when little is black and white, but often, especially with shale development, has varying shades of gray associated with it.

It is necessary to examine the various issues using the best available science and information to determine if and where shale development activities are appropriate. Energy development of any form will have some sort of impact, at the very least a surface presence such as wells and pipelines or wind turbines and power lines. The crux of the matter is how to realistically balance society's energy needs with a healthy environment, robust economy and broad social acceptance. No surface disturbance is proposed within Deer Lakes Park. However, nearby shale development activities will be noticeable. Drilling is a 24-hour a day, 7 days a week, construction activity that can be loud and bright, kind of like a bad sweater from the 1980s. However, it will also result in significant truck traffic. Current practices to minimize these impacts include the use of noise reduction barriers,

directing lights away from the neighboring properties and reducing truck traffic. Locating the well pads away from highly visible and environmentally sensitive and ecologically sensitive areas are keys to minimize the land surface impact and the other negative environmental impacts. It is also important to consider that well construction and fracturing activities are temporary, measured in months, and that once these activities are done, the well pad is largely reclaimed and things become much quieter.

A common concern with oil and gas development are fugitive emissions from onsite generators, compressors and tanks during drilling and hydraulic fracturing activities. Use of natural gas-powered equipment and vapor recovery systems are minimized in these adverse air quality impacts. The use of natural gas for power generation and reducing our state's air emissions; namely, carbon dioxide and mercury, as well as contaminants that produce smog and acid rain. Shale energy development raises concerns of possible impacts to water resources. To fracture one well requires approximately five million gallons of water, and storing and transporting this water is a significant activity.

Piping the water and storing it in temporary above-ground facilities will reduce the surface disturbance. Groundwater pollution by fracturing is often cited as a significant risk. However, the best science shows that fracking only extends several hundred feet out from the well and do not intercept near-surface aquifers. Therefore, the laws of physics are not being defined. However, surface spills do represent a significant risk, and we heard several instances tonight. And so the use of liners and tanks and secondary containment is necessary.

In summary, our society needs to balance our energy, environmental and economic needs, which is a needed, challenging task. I thank you for the opportunity to speak tonight and offer Penn State's Marcellus Center as a resource going forward for all stakeholders. Thank you very much.

(Applause.)

PRESIDENT DEFAZIO: Okay. We're going to take a minute to let her change the paper, and then we'll go on with the rest of regular business. So go ahead.

(Short break taken.)

PRESIDENT DEFAZIO: 8222-14.

MR. CATANESE: Motion to approve the minutes of the regular meeting of the Allegheny County Council held on March 4th, 2014.

MR. MARTONI: So moved.

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. Presentation of Appointments. 8202-14.

MR. CATANESE: Approving the appointment of Mark Foerster to serve as a member of the Allegheny County Housing Authority, for a term to expire on December 31st, 2018. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That would go to the Appointment Review Committee. 8204-14.

MR. CATANESE: Approving the reappointment of Sylvia Wilson to serve as a member of the Allegheny County Sanitary Authority, for a term to expire on December 31st, 2016. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That would go also to Appointment Review. 8205-14.

MR. CATANESE: Approving the reappointment of Susan Davis to serve as a member of the Allegheny County Mental Health/Intellectual Disability Advisory Board, for a term to expire on December 31st, 2015. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That would go to the Appointment Review, also. Unfinished Business. Committee on Budget and Finance, Second Reading. 8185-14. Mike? Oh, wait until he reads it.

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

MR. FINNERTY: Okay. Thank you, Mr. President. We had a committee meeting on this, and it was released from committee with an affirmative recommendation unanimously. I move for approval.

MR. MACEY: Second.

PRESIDENT DEFAZIO: Under remarks? Seeing none --- that's a roll call.

MR. CATANESE: Mr. Baker?

MR. BAKER: Aye.

MR. CATANESE: Ms. Danko?

(No response.)

MR. CATANESE: Mr. Ellenbogen?  
(No response.)  
MR. CATANESE: Mr. Finnerty?  
MR. FINNERTY: Yes.  
MR. CATANESE: Mr. Futules?  
(No response.)  
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?  
(No response.)  
MR. CATANESE: Mr. DeFazio, President?  
PRESIDENT DEFAZIO: Yes.  
MR. CATANESE: Ayes, 11, noes, 0. The bill

passes.

PRESIDENT DEFAZIO: 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: Mike?

MR. FINNERTY: Thank you, Mr. President. And again, we had an --- excuse me --- Economic --- Budget and Finance Committee meeting, and it was released with a unanimous recommendation. I move for approval.

MR. PALMIERE: Second.

PRESIDENT DEFAZIO: Under remarks? Seeing none, we'll have a roll call.

MR. CATANESE: Mr. Baker?  
MR. BAKER: Yes.  
MR. CATANESE: Ms. Danko?  
(No response.)

MR. CATANESE: Mr. Ellenbogen?  
(No response.)  
MR. CATANESE: Mr. Finnerty?  
MR. FINNERTY: Yes.  
MR. CATANESE: Mr. Futules?  
(No response.)  
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?  
(No response.)  
MR. CATANESE: Mr. DeFazio, President?  
PRESIDENT DEFAZIO: Yes.  
MR. CATANESE: Ayes, 11, noes, 0. The bill

passes.

PRESIDENT DEFAZIO: Committee on Economic Development and Housing, Second Reading. 7962-14.

MR. CATANESE: A resolution of the County of Allegheny, Commonwealth of Pennsylvania, adopting the Transportation Element of Allegheny Places, Allegheny County's Comprehensive Plan. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Were you there, Amanda?

MS. GREEN HAWKINS: Councilman Finnerty chaired the meeting on my behalf.

PRESIDENT DEFAZIO: Mike?

MR. FINNERTY: Yeah. Okay. I was acting chair for Councilwoman Green that day. This was released from committee with an affirmative recommendation. I move for approval.

MR. MACEY: Second.

PRESIDENT DEFAZIO: Under remarks? Seeing none, we'll have a roll call.

MR. CATANESE: Mr. Baker?

MR. BAKER: Yes.

MR. CATANESE: Ms. Danko?

(No response.)

MR. CATANESE: Mr. Ellenbogen?

(No response.)

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

(No response.)

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?

(No response.)

MR. CATANESE: Mr. DeFazio, President?

PRESIDENT DEFAZIO: Yes.

MR. CATANESE: Ayes, 11, noes, 0. The bill passes.

PRESIDENT DEFAZIO: Liaison Reports. Mr. Macey?

MR. MACEY: Thank you, Mr. President and members of Council. This evening I've heard a couple words and things that were said that reminded me of our volunteer fire companies. We know our volunteer fire companies are at the mercy of volunteers, as well as donations. And I just wanted to say that if you have a burning desire or you have any young people in your family that would like to be a first responder, would like to become a volunteer fireman --- excuse me, firefighter; I keep making that mistake --- I think it's important that you check with

your local fire department. They're great organizations. We're in need of firefighters and there is a small caveat that goes along with that.

If you sign on for five years and you join the FireVEST Program --- that's Volunteer Emergency Services Training --- you get a two-year college education. Now you've heard me say this before, but I don't think the school counselors are sharing this enough with young people. And there's a lot of young people in communities of modest means that can't afford a college education. But here's an opportunity for them to be a first responder to help their community, to learn more about firefighting and that process, as well as get a free college education.

I also heard words like diversity and relationships, and just for the record, I wanted to share some information I found out. And some of these businesses have testified here; some of these organizations have testified here and some may still be here. And please, if I mention an organization and they don't support Marcellus drilling, I need somebody to bring that to my attention. But as far as I know, the African-American Chamber of Commerce supports it. The American Federation of State, County and Municipal Employees, Allegheny County Airport Authority, Allegheny Conference on Community Development, Allegheny County Labor Council, Council on Allegheny Transit Union, the Boilermakers, Bricklayers, Carpenters, the Democratic Party --- imagine that, the Chairman of Frazer Township, Greater Pittsburgh Arts Council, Greater Pittsburgh Chamber of Commerce, Heinz History Center, the Hispanic Chamber of Commerce, IBE Local 5 of the Electrical Workers, Ironworkers, Labor Council, the Marcellus Shale Coalition Mentors, Operating Engineers, Oxford Development, Painters, Pennsylvania Restaurant Association, the Parks Foundation, Pittsburgh Building Trades, Pittsburgh Cultural Trust, Pittsburgh Opera, Pittsburgh Post-Gazette, Pittsburgh Symphony, Pittsburgh Tribune-Review --- hey, two papers getting along; they agree on something --- plumbers, Republican Party, the Chair of the SEIU, Sheet Metal Workers, Steamfitters, Steelworkers, Visit Pittsburgh, West Deer Township and Forward Township. Thank you.

MR. FINNERTY: He should have said the Chairman of the Republican Party.

PRESIDENT DEFAZIO: It's the Chairman of the Republican Party.

MR. MACEY: The Chairman of the Republican Party.

PRESIDENT DEFAZIO: Okay. Next, it was Mike.

MR. FINNERTY: Okay. Thanks. I'd just like to mention that the Allegheny County Conservation District in Pennsylvania --- there are 66 county conservation districts. Only the county of Philadelphia doesn't have one. And this Friday is the Allegheny County --- Envirothon; sorry. It takes place at North Park at North Park Lodge, and signup starts at 7:45, but you don't have to worry about that. The first test starts at 9:20. The Envirothon is competition between different high schools in environmental tasks, like forestry, wildlife, aquatics, soils, sustainable agriculture. Those are a few of the tasks they have to do.

They score points on that. Once this is finished, the high school that has the highest total wins the Envirothon, and they go on to the state Envirothon. This is done every third or fourth Friday in April, and it's been going on ---. I'm on the Conservation District Board. It's been going on for at least six years that I know of, and I think it's more than that. But it would be something, if you had a chance, to come out and see. It's very interesting to see young people going through these different tasks and trying to figure out, you know, what type of fish this is, and so on.

If you would be interested, the number that you could call for the Allegheny County Conservation District is 412-241-7645. And their website --- well, it's the state website, but you can get to Allegheny County's there --- it's [www.accdpa.org](http://www.accdpa.org). It's really something to watch, if you get a chance and you're around North Park. And North Park Lodge is the lodge right by the big water tower, if you remember the old rusting water tower out there that was from --- I believe, from World War II. Is it that --- Joe, is it from World War II?

MR. CATANESE: I think that was ---.

MR. FINNERTY: I think it is. All right? But that's where North Park Lodge is, and it's the biggest lodge at North Park. I also would like to mention that in relation to fracking in the parks, that our Allegheny County Park Foundation have endorsed --- or has endorsed fracking in the park. They support it. They support the

lease agreement between Allegheny County and Range, and I just want to make sure that you realize that they do. Okay? That's all I have.

PRESIDENT DEFAZIO: Heather?

MS. HEIDELBAUGH: Thank you, Mr. Chairman. My liaison report is to report on the trip that I made out to Deer Lakes Park at the invitation of the County Executive. During that visit, we got on the bus and we drove out to Deer Lakes Park. And my recollection, although not perfect, is that I was told that there were no bathrooms at Deer Lakes Park. I was then shocked, actually, to find out in an e-mail, pictures of restrooms that were brand new. And that led me to a feeling that I had to proceed in regard to my discernment, to be questioning.

I can't understand for the life of me why an elected representative was not shown the brand new restrooms at the park, and why I was led to believe that there were no restrooms in the park. That failure and/or act of omission is telltale for me, so I'm going to continue to be discerning. Now others have labeled that obstructionist. I looked up the definition today of an obstructionist, and it actually has a very definite definition and that is, one who delays the legislative process. The legislation ordinance was introduced. It was referred to committee. Mr. Futules is scheduled for hearings, and the County Executive scheduled one of his own hearings.

There is nothing that I have done legislatively and/or by the utilization of parliamentary procedures, to delay anything. What I have done, is I have extensively questioned all who have been presented to me. That is not the definition of obstructionism. What I've tried to do in the two and a half years in which I've served on this council is to continually request that we follow the Rules of Council and that we follow a democratic process. And what I've continually been met with, because I am in the minority, is a silencing of the person who questions. I won't be silenced. I'm going to continue to do what I feel is right, and I'm going to do it even more diligently every time I am either not told the full and whole truth, a half truth or an intentional falsehood. In regard to the question regarding whether Deer Lakes are polluted, as was told to us by our County Executive, one of the representatives from the DEP indicated that he would, in fact, investigate that, because the chief officer of a

county has reported that. So he's going to investigate and return a report to me as to whether they're polluted.

And lastly, I will state that I have asked for a panoply of different witnesses to be provided to us in the Parks Department. Independent is such a difficult word. All of us have biases and motivations and pre-conceived notions. So to get someone who's independent in the human sphere is almost impossible. But what I am asking for is people with all different viewpoints to be provided to us, so that we can get --- we can get the information that they have and we can question them. I'm going to try human --- as human --- the best that I can as a human, to make this decision. I probably will anger everyone, but I will try to do the right thing by balancing all the interests. And that's my liaison report for this evening.

PRESIDENT DEFAZIO: Okay. Mr. Palmiere?

MR. PALMIERE: Thank you, Mr. President. I just want to take the time to report that I attended an Air Advisory Committee meeting last night, after spending all day down here on other matters. I'm real good to my wife; I'm never home. That's why we get along so well. But I wanted to tell you, I want to just share with my colleagues here that I met a lot of good people over there yesterday. And Jim Thompson, as you know, is the second --- I think, second in command now to Dr. Hacker when it comes to the environment, and so on. And they did a great job of making some presentations last night. And the people that they've appointed to handle various committees did an excellent job of reporting.

I was really impressed with the whole procedure. I was dead tired, but they kept me awake. And it was well worthwhile spending time over there. And I'd also like to mention our IT people, Mike Cosco (phonetic) and his crew. Yesterday morning, I was down here early because I've been having so much difficulty with my phone. And Verizon saw fit to shut me off, and I couldn't get any information on my phone, on my Kindle, on the computer, and things were just an absolute wreck. And I want to tell you, ladies and gentlemen, when you don't have that arm, you know, to glean that information and everything is shut off, it's a horrible place to be. I never thought I'd ever make a statement like that, because five years ago I had no use for any of that stuff. But you know, after being down here now for the past three years, it's very, very important to be tuned in. So I want to just compliment

Mike and his crew. They really helped me out. They got me straightened out. And when I left yesterday, Mr. President, I was tuned in again. And it was really nice, and I felt very comfortable. Thank you very much.

PRESIDENT DEFAZIO: Okay. We'll go on to New Business; Ordinances and Resolutions. 8223-14.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Administrative Code of Allegheny County, Article 203, entitled County Authorities, Section 5-203.02, entitled Appointments to County Authorities, in order to render the procedures to be followed when appointing individuals to serve on the governing board of the enumerated county authorities, consistent with applicable law. Sponsored by Councilwoman Heidelbaugh.

PRESIDENT DEFAZIO: We'll put that in Government Reform.

MS. HEIDELBAUGH: Am I allowed to speak to this? We usually do. Thank you.

PRESIDENT DEFAZIO: What do you want?

MS. HEIDELBAUGH: What do I want?

PRESIDENT DEFAZIO: Right.

MS. HEIDELBAUGH: I just want to be able to speak to it.

PRESIDENT DEFAZIO: Yeah.

MS. HEIDELBAUGH: Okay. Thank you.

PRESIDENT DEFAZIO: You're allowed to make a brief statement.

MS. HEIDELBAUGH: Okay. This is an ordinance to correct what has been incorrect in the appointments. The Executive has been appointing people to various authorities that, by law, the Executive should not be appointing. The Allegheny County Hospital Development Authority, the Allegheny County Higher Education Building Authority, the Allegheny County Sanitary Authority and the Allegheny County Airport Authority, all of those appointees should be appointed by this council. And this lays out the reasons why that has been done improperly, and it needs to be changed.

PRESIDENT DEFAZIO: Okay. 8224-14.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, granting authority to the County of Allegheny to transfer a parcel of property to Kenneth and Christine Gulick, in Frazer Township, in exchange for Kenneth and Christine Gulick's

transferring a parcel of property of equal or greater value in Frazer Township, adjoining Deer Lakes Park, to the County of Allegheny. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That would go to the Parks Committee.

MS. MEANS: Mr. President?

PRESIDENT DEFAZIO: Yeah.

MS. MEANS: I just --- is there anybody here that can explain this to us, like, where this property is, where is --- getting moved to where? And I have two motions, also, to be recognized.

MR. FINNERTY: It's going to committee?

PRESIDENT DEFAZIO: It's going into the committee. You can do all that.

MS. MEANS: Okay. All right. But I do have two motions. It doesn't have to be now, but at some point.

PRESIDENT DEFAZIO: Yeah, you can, when we get there.

MS. MEANS: Okay. Thank you.

PRESIDENT DEFAZIO: Okay. We're going to go --- what did I say, 8225-14?

MR. CATANESE: That's correct. An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the acceptance of a donation from the Pittsburgh Penguins Foundation and Highmark, for the construction of deck hockey facilities to be located in the county's North Park and Settlers Cabin Park. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Okay. That goes to Parks. Okay. 8226-14.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the extension of a lease with Oliver Miller Homestead Associates, to continue the establishment and operation of the historical property in the county's South Park known as Oliver Miller Homestead. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That would go to the Parks Committee. 8227-14.

MR. CATANESE: An ordinance of the County of Allegheny, Pennsylvania, authorizing the incurrence of non-electoral debt by the issuance of one or more series of General Obligation Refunding Bonds, Series C-73, or by other such names as designated by the county, in an

aggregate principal amount not to exceed \$165 million, the C-73 bonds; and one or more series of General Obligation Bonds, Series C-74, or by such other names as designated by the county, in an aggregate principal amount not to exceed \$82 million, the C-74 bonds, and collectively with the C-73 bonds, the Bonds. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That would go to Budget and Finance. 8228-14.

MR. CATANESE: A resolution of the County of Allegheny, Commonwealth of Pennsylvania, urging the Pennsylvania General Assembly to enact with all deliberate speed, an act authorizing the governing bodies of counties of the second class, to provide by ordinance for the implementation of tax provisions, to allow for a property tax freeze for qualifying senior citizens. Sponsored by Councilwoman Heidelbaugh.

MS. HEIDELBAUGH: May I speak to that?

PRESIDENT DEFAZIO: Yeah, briefly.

MS. HEIDELBAUGH: The City of Philadelphia, which is the only jurisdiction county of the first class, allows for that county to freeze property tax for qualifying senior citizens who are, obviously, at the poverty level. And so we can't do this ourselves. We have to ask for the State General Assembly to allow us to consider this and enact it. We don't want to be taxing our senior citizens out of their homes, especially those who already are in poverty. So I'd like to try to enact this resolution encouraging the state to do that.

PRESIDENT DEFAZIO: Okay. That would go to Budget and Finance. 8229-14.

MR. CATANESE: A resolution of the County of Allegheny, amending the Grants and Special Accounts Budget for 2014 (Submission 06-14). Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That would go to Budget and Finance. New Business, Motions. 8230-14.

MR. CATANESE: Amending Article II of the Rules of Council for Allegheny County Council, through the creation of a new Section F.5., in order to encourage committee meetings participation by adjusting the rule governing quorums of committee meetings. Sponsored by Councilwoman Heidelbaugh.

PRESIDENT DEFAZIO: That would go to Government Reform.

MS. HEIDELBAUGH: May I speak to that briefly?

PRESIDENT DEFAZIO: Yeah.

MS. HEIDELBAUGH: We currently have a situation where we have major pieces of legislation going to a committee and in which it's possible you have a chair and only one committee member to have a quorum, and we should not be doing that in a county this large. So I want to up the quorum rules.

PRESIDENT DEFAZIO: Okay. 8231-14.

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 to provide a standardized rule governing participation by telephone in all committee --- committees of Council. Sponsored by Councilwoman Heidelbaugh.

MS. HEIDELBAUGH: Yeah, I want to ---.

PRESIDENT DEFAZIO: Go ahead.

MS. HEIDELBAUGH: I want to amend the rules such that people can attend by telephone, but their votes and/or the quorum rules will be affected if all they do is attend by telephone, because you can't really hear and you can't really participate. People should come to the committee meetings and be heard.

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

MS. MEANS: I have two motions. You said ---.

PRESIDENT DEFAZIO: No, we'll do that in --- pertaining to this, we'll do it at the meeting. You're going to talk about what she put in?

MS. MEANS: No. I have two motions to add right now, sir, to be recognized, two new motions.

PRESIDENT DEFAZIO: Pertaining to what?

MS. MEANS: Well, I have to tell you what they are; correct?

PRESIDENT DEFAZIO: Yeah.

MS. MEANS: One is I want to make a request to the county manager and the solicitor to give County Council members the RFP, accompanied by Range Resources' and Huntley and Huntley's response to the RFP, in order that we can make an informed decision in light of the constitutional responsibilities, as trustees of county property. To do my due --- our due diligence, we need that information. That's the motion.

PRESIDENT DEFAZIO: Okay. Well, that motion has to be --- and correct me if I'm wrong on this. Wasn't she supposed to pass out something?

MS. MEANS: I can make a verbal motion, I understand.

MR. FINNERTY: It has to be in writing.

PRESIDENT DEFAZIO: It's supposed to be in writing.

MR. FINNERTY: It has to be in writing.

PRESIDENT DEFAZIO: Yeah.

OFF RECORD DISCUSSION

MR. CAMBEST: Mr. Barker has shown me the Rules of Council. It does not specifically say that a motion, resolution or ordinance --- it doesn't specifically say a motion must be in writing. It says --- it talks about a final vote, although I think our procedure here has been that motions have been introduced in writing and submitted to Council prior to voting on it.

PRESIDENT DEFAZIO: Yeah.

MR. CAMBEST: I think that's been our practice.

PRESIDENT DEFAZIO: That's the way we've always done it.

MR. CAMBEST: Yeah, always been.

MS. HEIDELBAUGH: But it's not a rule.

MR. FINNERTY: No, but it's past precedent.

MR. CAMBEST: Yeah. I'm only telling you what the practice is.

MR. FINNERTY: Yeah. Past precedent has been ---.

MR. CAMBEST: You can always make a vote ---. You can always make a vote to do that if there was something in writing.

MS. HEIDELBAUGH: Absolutely.

MR. CAMBEST: So I think the purpose is to give everybody an opportunity to review it.

PRESIDENT DEFAZIO: We would have to --- look. I mean, that's the --- if you don't have written rules, they supersede a practice. So we don't have written rules, evidently, so you have to go --- you usually have to go with the practice, unless you come up with changing something and starting a new rule; yeah, either that or can't you ask things or do this ---? Are you at the meeting tomorrow?

MS. MEANS: Yes, I will be at the meeting tomorrow.

PRESIDENT DEFAZIO: Wouldn't we have our people there that we could try to do this or --- unless you want to try to do it now.

MS. MEANS: Unless --- can we have it written right now or ---?

MR. BARKER: Counselor or me do not have the opportunity to introduce a new bill at the committee meeting tomorrow, because the introduction process only applies at regular meetings. You wouldn't have the ability to do that at tomorrow's ---. Beyond that ---.

MR. CATANESE: Somebody could second.

MS. HEIDELBAUGH: I second.

PRESIDENT DEFAZIO: Well, no one made a motion.

MR. FINNERTY: Yeah.

MS. HEIDELBAUGH: She made a motion.

MS. MEANS: I made a motion.

PRESIDENT DEFAZIO: You made a motion for what? I didn't hear you.

MS. MEANS: I made a motion to get to --- for the county to --- manager and county solicitor to give us the RFP for drilling under the park, with a response from Huntley and Huntley and Range Resources.

MR. FINNERTY: We had a motion and a second.

MS. HEIDELBAUGH: She didn't second.

MR. FINNERTY: I know.

PRESIDENT DEFAZIO: Any other remarks?

MR. FINNERTY: We don't have anything to read.

MS. HEIDELBAUGH: Can't we have it ---?

MR. FINNERTY: I mean, we --- past precedent has always been --- I mean, I've been here for eight years. You've been here longer than that. We always had --- when there was a motion presented, it was in writing, and it was passed out. Now, that's fine. We can vote on it. All right? I don't really care if we vote on it, because I'm just voting no, anyhow, because I don't have anything to look at. I mean, let's get serious.

MR. CAMBEST: Well, let's try to ---. Let's try to clarify the vote here. I understood that you were going to take a motion to suspend the practice and permit an oral motion be made. That's what I understood.

PRESIDENT DEFAZIO: Well, that's her motion. Somebody over here seconded it. Under remarks --- is there any more remarks over there?

MS. MEANS: So do I need to make a motion ---?

MS. HEIDELBAUGH: Yeah, I have a remark.

PRESIDENT DEFAZIO: You did. They said you made the motion.

MR. FINNERTY: You made the motion.

MR. CAMBEST: That's not the question.

MS. HEIDELBAUGH: I'm going to make a motion to suspend the prior practice.

PRESIDENT DEFAZIO: All right. You can't make another motion if there's another motion that ---. Let's do what we have to do on this motion.

MR. MARTONI: We got to finish the one that's ---.

MS. HEIDELBAUGH: I'm trying to say something.

DR. MARTONI: If we ---.

MS. HEIDELBAUGH: I think I have the floor; don't I?

DR. MARTONI: I'm sorry.

MS. HEIDELBAUGH: Thank you, Dr. Martoni.

PRESIDENT DEFAZIO: Wait a second. First of all, let's get --- wait a second. What's the motion that you put on the floor, Sue?

MS. MEANS: For the RFP. I want the RFP and the response. And then do we --- do I need to make a motion to suspend the rules? Which one ---?

MR. CAMBEST: That's correct, and I think that's the proper procedure. You made a motion that did not follow our practice. So I thought we were going to have a motion to suspend the rules, so you could do that and vote on it.

MS. MEANS: Yeah.

MR. CAMBEST: And that's what I thought the second motion was.

PRESIDENT DEFAZIO: We have to suspend the rules

MR. CAMBEST: We have to suspend our practice, technically, to permit it. So I think we ought to vote on that first.

PRESIDENT DEFAZIO: Yeah.

MR. CAMBEST: And then if that's approved, then I think we would address Ms. Means' motion to request the RFP from the County Executive.

MS. HEIDELBAUGH: Just for the record, Mr. ---.

PRESIDENT DEFAZIO: Wait a minute. Okay. Go ahead.

MS. HEIDELBAUGH: For the record, Mr. President, I think it's unfair that we are now following the written

rules, because Ms. Means, I believe, looked at this and relied on the written rules. And so for us now to say, well, the practice has been something different with a new member, isn't fair.

PRESIDENT DEFAZIO: Wait. What is the written rule that we violated?

MS. HEIDELBAUGH: It doesn't have to be in writing.

PRESIDENT DEFAZIO: What is the rule we violated?

MS. HEIDELBAUGH: The rule you're about to violate is that we have to suspend the rules, but we're not suspending the rules.

MR. CAMBEST: Suspend the practice.

PRESIDENT DEFAZIO: We're suspending the practice.

MR. CAMBEST: The practice.

MS. HEIDELBAUGH: Yes, but there is no such thing.

PRESIDENT DEFAZIO: Yes, there is.

MR. FINNERTY: There is a practice.

MR. CAMBEST: We do have a practice, and I think John's correct.

MS. HEIDELBAUGH: There's no such thing as suspending the practice.

PRESIDENT DEFAZIO: Yeah.

MS. HEIDELBAUGH: There's no such thing as suspending the practice.

PRESIDENT DEFAZIO: Look. Let me say, Heather ---.

MR. CAMBEST: I think that Mr. DeFazio is correct.

PRESIDENT DEFAZIO: Let me say this.

MR. CAMBEST: If you don't have it in writing and that's your practice, you need to address that.

PRESIDENT DEFAZIO: You're an attorney; you understand. If you have a written contract, okay, that supersedes a practice. If you don't have the written contract, you go with the practice; okay? What we're saying is --- okay, it's getting to the same point as what you're trying to do ---.

MS. HEIDELBAUGH: John, none of that --- none of that is applicable in law, okay, what you just said.

PRESIDENT DEFAZIO: It's applicable to Robert's Rules of Order.

MS. HEIDELBAUGH: It's not in writing.

PRESIDENT DEFAZIO: Did you hear ---?

MS. HEIDELBAUGH: There's no requirement that her motion has to be in writing.

PRESIDENT DEFAZIO: Okay. Look. Rather than me --- rather than me fight with you, he's considered a parliamentarian, and I'm a rules person. I could tell you myself.

MS. HEIDELBAUGH: I'm a rules person.

PRESIDENT DEFAZIO: Well, then let's listen to the person who's supposed to make the rule, and that's --- so this is ---.

MS. HEIDELBAUGH: I believe the rule is, that he is to advise us and you are to rule.

PRESIDENT DEFAZIO: That is correct.

MS. HEIDELBAUGH: Okay. And what I'm trying to say for the record ---.

PRESIDENT DEFAZIO: And if she advises ---.

MS. HEIDELBAUGH: What I'm trying to say for the record is that the Rules of Council do not require a written motion. She made an oral motion; therefore, it's allowable.

PRESIDENT DEFAZIO: No, you're incorrect. We have been, for 13 years, 12 years or better, I've been here. This is the way we've always done it. So what we're trying to do to get to your point, is there's a motion to suspend the practice that we had and vote on it. It gets you to the same place you're trying to go. Okay? Yeah, Chuck; I'm sorry. Go ahead. Hold it. Go ahead, Chuck.

MR. MARTONI: Thank you for the privilege to speak. I think the whole thing is like --- why don't we just make this request to them to get what we want to get? And then if we don't get what you want to get, then you can come here and make an official whatever, because I think it's totally unfair to everyone for everyone to assume we won't get it if we ask for it. Correct me if I'm wrong. I think it's totally unfair. I think we ought to ask for what we want --- what Council wants. And if we get it, that's great. And if we don't get it, then you can come here and make all the motions you want.

PRESIDENT DEFAZIO: Good. Okay. That makes sense.

MR. MARTONI: Does that sound reasonable to you?

PRESIDENT DEFAZIO: I'll get Jan, and then I'm going to ask the question.

MS. REA: I didn't know if she had a second to suspend, even though there's a disagreement.

MR. CAMBEST: I thought she did; I thought Ms. Heidelbaugh ---.

MS. REA: You did just suspend --- okay.

PRESIDENT DEFAZIO: Let me ask ---.

MR. FINNERTY: She seconded the motion that was made.

MS. REA: Yeah, I didn't think she seconded the motion.

MR. FINNERTY: That's on the floor right now.

PRESIDENT DEFAZIO: Yeah, you're right.

MR. FINNERTY: You can't have a motion to suspend until we have this motion taken care of. She made the motion. Councilwoman Heidelbaugh seconded the motion; not to suspend, the motion.

MS. REA: That's what I thought. Okay.

MR. FINNERTY: Now that's on the floor.

MS. REA: Okay.

MR. FINNERTY: Now you can't have something else come on the floor here.

MS. REA: Mr. ---.

PRESIDENT DEFAZIO: There's a motion pending, so we have to go with the motion pending, so ---. Do you have a question?

MS. REA: Are we going to discuss --- discussing for her motion?

MR. FINNERTY: How can I discuss it? I don't see it.

PRESIDENT DEFAZIO: What I was going to do --- can I ask you to hold for one moment?

MS. REA: Okay.

PRESIDENT DEFAZIO: Everybody, hold on for one moment. Mr. McKain, can I ask you a question? You heard what Chuck said. Is that possible, that if he's requesting or someone is requesting for information, is there a way we can get that?

MR. MCKAIN: It was requested through a right to know by another Council member and was denied.

PRESIDENT DEFAZIO: Okay.

MR. SZEFI: Okay.

PRESIDENT DEFAZIO: Is there --- I mean, just so everybody --- is there reasons why you normally don't do this and that?

MR. MCKAIN: We typically, during this point of the process, do not release that until a contract is executed while we negotiate. That's been our current practice; at least, that's what I --.

PRESIDENT DEFAZIO: So that has been the way it's been done for, I guess, years?

MR. MCKAIN: Yes. I don't think that's why she's bringing it.

PRESIDENT DEFAZIO: All right. Now Sue's motion was --- do we have Sue's motion?

MS. REA: What ---?

PRESIDENT DEFAZIO: I want to ask for the motions before you ---.

MR. FINNERTY: Yeah, because we don't have anything to read, and we're going to vote on it.

MS. REA: Okay. In defense of --- in defense of Ms. Means, she was advised that she didn't need to have it in writing, but she was given bad advice for whatever reason. So she's the new Council member. I agree with Ms. Heidelbaugh. She was given bad advice, period, or she would have had the motion in writing.

PRESIDENT DEFAZIO: No, that's okay. I mean, we're just saying what's going to happen over the years, and everybody knows that, including the solicitor. That's the way we did it. But I said, we could get around to where we're trying to go and do it the right way, even if --- you know, if we don't do it that way, we'll do it another way. So she has a motion on the floor to --- what was her motion?

MR. CATANESE: The RFP.

PRESIDENT DEFAZIO: Okay. We heard what the county said, they never do it. Is there any more remarks on that?

MS. HEIDELBAUGH: You're going to allow --- you're going to allow her motion?

PRESIDENT DEFAZIO: Yeah --- yes.

MS. GREEN HAWKINS: I just wanted to ask a question of the solicitor. If I have a conflict with Range Resources, is this something that's appropriate for me to vote on, just for clarification?

MR. CAMBEST: All you're doing is --- well, if we're voting to permit to suspend the operation, you can

vote on that. And if we're voting to request from the Executive the RFP, you can vote on that. That has nothing to do with conflict.

MS. GREEN HAWKINS: Thank you. May I ask a question with regards to that?

MR. CAMBEST: Yeah.

MS. GREEN HAWKINS: And this would be for, perhaps, the solicitor and/or the county manager, because we said that we have a practice of not releasing this RFP for whatever reason it is. I know sometimes that there are confidential things that companies don't want to disclose or proprietary information. And is that a concern, and would it be a concern later, then, if you were to release it? Okay. I see the solicitor, Andy Szefi, is shaking his head no.

MR. SZEFI: No.

MS. GREEN HAWKINS: Thank you.

MR. SZEFI: It's not a proprietary ---. All proposals, when you put out an RFP or a Request For Bids, eventually all bids and proposals are public, but not until the contract is awarded; typical course. The reason for that is, you don't want to give anybody a competitive advantage by having other people's proposals be public. You may not ever reach a contract. And if that's the case, you might not want proposals from one company out publicly if you have to go out for bid again. That's why you don't put out responses to requests for proposals or bids. And that's been a practice forever here.

MS. GREEN HAWKINS: you're saying until the contract is awarded, then it's irrelevant?

MR. SZEFI: Until the contract is awarded and we should --- all proposals and bids are public; that's right.

MS. GREEN HAWKINS: Thank you.

MS. HEIDELBAUGH: The right-to-know law is a state law.

MR. CAMBEST: Correct.

MS. HEIDELBAUGH: So when someone sends you a right-to-know request, you are required to respond in writing. If you're not going to provide the information with the particular statutory exemption under which you are not required to produce it, would you produce the letter that you provided in response to the right to know, which will tell us what your claimed exemption is for your mandatory duty to produce it?

MR. SZEFI: I'll produce the letter to you and the opinion from the Office of Open Records in Harrisburg, confirming the denial of the --- to Mr. Ross (phonetic), yes.

PRESIDENT DEFAZIO: Okay. Mr. Macey?

MR. MACEY: Yes, thank you. And I just think --- and with all due respect to Ms. Means, because I do respect you and I consider you a friend --- but I think we're jumping the gun here. They're the administration. There's the manager. That's the administrator. Let them manage and give us the product, not the RFP, because that's part of a negotiating process that the manager and the administration is going to be involved with. We do not manage. Thank you.

PRESIDENT DEFAZIO: Sue --- oh, wait one second.

MS. GREEN HAWKINS: I'll defer.

PRESIDENT DEFAZIO: You'll defer?

MS. GREEN HAWKINS: Thank you.

PRESIDENT DEFAZIO: Sue?

MS. MEANS: I just --- I mean, thank you, Mr. Szeffi for your response, but as Mr. Szeffi stated, we can't release the RFP when we're in negotiation because maybe the competitor can find out. But according to the county officials, the only person that bid on drilling under Deer Lakes Park is Huntley and Huntley/Range Resources, because there isn't any competition out there. So that reason for --- and for doing this, doesn't really hold water here. So really, the negotiations are pretty much finished. And in light of Act 13 and Judge Castile's ruling on Act 13, which you all gave him an award two weeks ago for being a great judge, we need to look at that. The reason why the county chose --- we are the landowners --- land holders.

We will vote on that. We don't --- we need the RFP and their response before we vote, not after we vote.

MR. SZEFI: Just a point of --- the RFP has been public since September, and everybody has had it since September and ---.

MS. MEANS: I need the response.

MR. SZEFI: Clarify first.

MS. MEANS: The county asked ten questions for a reason, because they wanted the response to those ten questions, to help them make their decision to choose Huntley and Huntley/Range Resources. So we need that information to make an informed decision. Thank you.

PRESIDENT DEFAZIO: Okay. Is there any more questions? Oh, I'm sorry.

MS. GREEN HAWKINS: Just a comment, Mr. DeFazio. Thank you. And I do understand Council member Means' intent here, and I do understand and appreciate the request for more information in order to make a decision. But I do understand from a Board member's perspective who deals with biddings and things that have to be held confidential and private until an award is made. I do understand that, because even though there may be an intention for a deal to be made with Range Resources and Huntley and Huntley, in the end that may not happen.

And should this then go out for bid again, a competitor looking at who got the award last time, can use information in there to submit their bid and get the bid later. That I do understand, and for that reason, I am a little antsy about voting in favor of this Council getting this information prior to an award being made, for that reason. Thank you.

PRESIDENT DEFAZIO: Heather?

MS. HEIDELBAUGH: If I do this wrong, you'll correct me. I'd like to table this vote until we get the documents from Mr. Szefi, because based on the opinion from --- say it again.

MR. SZEFI: The Office of Open Records.

MS. HEIDELBAUGH: Based on the opinion of --- yeah. Based on the opinion of the Office of Open Records and his response delineating the exemption, I can't make a vote on this, because I've got to see that law.

MR. MACEY: I second the motion to table.

MS. HEIDELBAUGH: Can I do that?

MR. CAMBEST: Yeah, you can make a motion to table. He seconded; no discussion on the motion.

MR. FINNERTY: There is no discussion on tables.

MR. CAMBEST: No discussion on motions on table.

MS. HEIDELBAUGH: No, it's just for now.

MR. FINNERTY: It's a rule.

MR. CAMBEST: You're tabling it. You're tabling it until you're done. You're standing until you get that?

MS. HEIDELBAUGH: Right.

MR. CAMBEST: Then you would bring it up at a subsequent meeting. The motion to table has no discussion.

PRESIDENT DEFAZIO: We need to vote.

MR. FINNERTY: That's a vote.

MR. FINNERTY: Roll call.  
MS. MEANS: What are we voting on?  
MR. CAMBEST: We're voting on tabling your motions.  
MR. FINNERTY: Yes, if you want it tabled and no, if you don't.  
MR. SZEFI: You understand?  
PRESIDENT DEFAZIO: Okay.  
MR. CATANESE: Mr. Baker?  
MR. BAKER: No.  
MR. CATANESE: Mr. Finnerty?  
MR. FINNERTY: Yes.  
MR. CATANESE: Mr. Futules?  
(No response.)  
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?  
(No response.)  
MR. CATANESE: Mr. DeFazio?  
PRESIDENT DEFAZIO: Yes.  
MR. CATANESE: Ten yeses, one no.  
MR. CAMBEST: Mr. President, for the future, may I read something from Robert's Rules of Order ---  
PRESIDENT DEFAZIO: Go ahead.  
MR. CAMBEST: --- which I believe that if we don't address it --- we've accepted Robert's Rules of Order. So if we don't say anything about a motion in writing, Robert's Rules would apply. So Robert's Rule says, when you submit a motion, it's usually in writing in the form of a resolution, if it is a complicated, important matter. However, if it isn't introduced in the

form of a resolution --- and I'll read specifically. If such a motion is not offered as a resolution, it can simply be written out in the form in which it would be moved orally, and then they give you an example. So Robert's Rules of Order would apply. If it's a motion and it's complicated --- as they say, original motion, and this would be complicated or of length --- it should always be in writing.

If you don't believe it fits that category, it should also be in writing. If it's simply as if you would orally make it. So if you could just have it in writing as you orally make it, as she could present it to this body as we normally do.

MR. PALMIERE: Mr. President?

PRESIDENT DEFAZIO: Yes.

MR. PALMIERE: Mr. Cambest?

MR. CAMBEST: Yes.

MR. PALMIERE: Who makes the determination whether it's complicated enough or not?

MR. CAMBEST: Well, I think you would ---.

MR. PALMIERE: I mean, this is getting ridiculous, but I want to know. You made that statement. Now what does that mean?

MR. CAMBEST: I think her motion was not a complicated motion. It was just ---.

MR. PALMIERE: It wasn't complicated? We're here for half an hour.

MR. CAMBEST: But you were arguing for a half an hour on procedure that you should not have argued about, because it should be in writing.

MR. PALMIERE: Okay.

MR. CAMBEST: That's Robert's Rules of Order. That's our past practice. It should be in writing.

PRESIDENT DEFAZIO: To answer your question, he recommends it, but technically, we make the final decision. We usually listen to him as the parliamentarian, but we don't have to.

MR. PALMIERE: Thank you.

MR. FINNERTY: John?

PRESIDENT DEFAZIO: Yeah. Go ahead.

MR. FINNERTY: If I could be recognized? Thank you. It is a past practice that we always have motions and resolutions in writing. To make this clearer --- and excuse me. To make this clearer, I think that we're going to have to come up with a resolution that says all motions

have to be in writing. Then we won't have a problem any more.

MS. HEIDELBAUGH: Let's get that done.

MR. FINNERTY: Yeah, I agree. So maybe next time we'll do that, but I will have that motion in writing. I will have it in writing.

PRESIDENT DEFAZIO: Okay. Let's go with 8231-14.

MR. CATANESE: We already did that one.

PRESIDENT DEFAZIO: Then we'll go on to the next one.

MR. CATANESE: We basically did them all.

PRESIDENT DEFAZIO: We did them all.

MR. FINNERTY: Did you do Notification of Contracts?

PRESIDENT DEFAZIO: Wait a minute. 8232-14.

MR. CATANESE: Communication reflecting the approved Executive Actions from 3/1/14 to 3/31/14, to be received and filed. Sponsored by the Chief Executive.

MR. FINNERTY: I'll make that motion.

MR. MACEY: Second.

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

(Chorus of ayes.)

PRESIDENT DEFAZIO: The ayes have it. Public Comments, none. Meeting adjourned. Someone want to make a motion to make it official?

MR. MARTONI: I move we adjourn

MR. FINNERTY: I second that.

PRESIDENT DEFAZIO: All those in favor say aye.

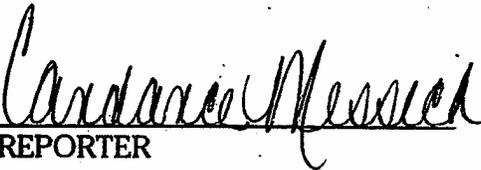
(Chorus of ayes.)

PRESIDENT DEFAZIO: The ayes have it.

MEETING ADJOURNED AT 9:36 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.

  
REPORTER