

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

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

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

Tuesday, May 6, 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:

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

PRESIDENT DEFAZIO: The meeting will come to order. Please rise for the Pledge of Allegiance and a moment of silent reflection.

(Pledge of Allegiance.)

(Moment of silent reflection.)

PRESIDENT DEFAZIO: Roll call.

MR. CATANESE: Mr. Baker?

MR. BAKER: Here.

MR. CATANESE: Ms. Danko?

MS. DANKO: Present.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Here.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Here.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Here.

MR. CATANESE: Ms. Green Hawkins?

(No response.)

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Here.

MR. CATANESE: Mr. Kress?

(No response.)

MR. CATANESE: Mr. Macey?

MR. MACEY: Here.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Here.

MR. CATANESE: Ms. Means?

MS. MEANS: Here.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Here.

MR. CATANESE: Ms. Rea?

MS. REA: Here.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Present.

MR. CATANESE: Mr. DeFazio, President?

PRESIDENT DEFAZIO: Here.

MR. CATANESE: Thirteen (13) members currently present.

PRESIDENT DEFAZIO: Proclamations and Certificates. 8235-14.

MR. CATANESE: Proclamation commemorating the 100th anniversary of Cooperative Extension of The Pennsylvania State University. Sponsored by Council members Finnerty, Danko, Ellenbogen, Green Hawkins, Martoni, Means, Palmiere, Rea and Heidelbaugh.

MR. MACEY: Wait a second.

PRSIDENT DEFAZIO: Okay.

MR. FINNERTY: Okay. Thank you, Mr. President. Deno, would you please join me up here? Thank you. This is a proclamation honoring the Extension --- Penn State Extension, 100 years. Penn State has been around a lot longer than 100 years, but the extensions haven't. I'd just like to read the proclamation and then turn it over to Deno.

WHEREAS, May 8th, 2014 marks the Centennial of the signing of the Smith-Lever Act, which established Cooperative Extension, the nationwide transformation educational system operating through Land-Grant universities in partnership with federal, state and local governments; and

WHEREAS, the United States Senator, Hoke Smith, of Georgia, and the United States Representative, A.F. Lever, of South Carolina, authorized the Smith-Lever Act to expand the vocational, agricultural and home demonstration programs in rural America, by bringing the research-based knowledge of the Land-Grant universities to people where they live and work; and

WHEREAS, Act 12 of the Pennsylvania General Assembly, approved on March 26th, 1915, established Penn State University as the legal recipient and executor of the provisions of the Federal Smith-Lever Act in Pennsylvania; and

WHEREAS, Cooperative Extension is a critical component of the three-part Land-Grant universities' mission and works collaboratively with research and academic programs in 106 colleges and universities; and

WHEREAS, Cooperative Extension translates science-based research for practical application to improve economic and social conditions;

WHEREAS, Cooperative Extension engages with rural and urban learners through practical community-based and online approaches, resulting in the acquisition of knowledge, skill and motivation, to strengthen the profitability of small businesses, protect natural resources, help people make healthy lifestyle choices, ensure a safe and abundant food supply, encourage community vitality and develop the next generation of leaders.

NOW, THEREFORE, BE IT RESOLVED, that Allegheny County Council does hereby recognize the significance of

the Smith-Lever Act and commemorates the 100th anniversary of the Cooperative Extension of the Pennsylvania State University. This is sponsored by myself, Michael Finnerty, and all of Council.

(Applause.)

MR. DE CIANTIS: Thank you very much for this proclamation. There aren't very many partnerships in the last 100 years. And I have to say that it's been a tremendous partnership with Allegheny County, between the Executive and Council, and before that with the county commissioners. Cooperative Extension is part of the Land-Grant system which is brought into being in 1862, signed into law by President Lincoln. And what that did was establish a strong connection between communities across the country and their respective Land-Grant institutions. Here in Pennsylvania it's Penn State.

We are a different nation now than we were back when that law became part of our land. We were quite agrarian. Eighty (80) percent or more of our people lived in rural areas. Now that has flipped the other way, so now we have 80 percent of our population or more who live in urban and metropolitan areas. And our extension program is reflecting that change, bringing the programming that is relevant to our metropolitan area, in the Greater Pittsburgh area and Allegheny County and beyond.

I would just like to ask my staff --- and I've brought them here this evening --- to stand, introduce themselves and just tell you what program area they're in. So if you don't mind, we'll take just a couple of minutes. They're the ones who make things happen. I just talk. Okay.

MR. FINNERTY: They're going to have to use the microphone.

MR. DE CIANTIS: Okay. Well, you'll have to come up here one at a time, they say. I do want to acknowledge you, so if you don't mind, get up and come on up. And I do want to acknowledge that we have a birthday cake that commemorates that, so after ---. I know that this meeting is going to be long. So I will say that afterwards there will be cake.

MR. EICHENLAUB: I'm Dan Eichenlaub, and I'm actually part of the advisory group to the extension group. And my small business are the beneficiaries of

your --- of the county's partnership with the state and the federal government on this.

MS. HASENJAGER: Cindy Hasenjager, alternative and renewable energy programs.

MS. JAVOR: Cindy Javor. I am a nutrition educator.

MS. BROWN: Regina Brown, diet tech, along with Cindy Javor.

MS. STEVANS: Cindy Stevans, EFNEP, Expanded Food and Nutrition Education Program.

MS. HOGAN: Maureen Hogan, Assistant Director.

MS. KUNST VAVRO: Lisa Kunst-Vavro, landscape architect, sustainable environments.

MR. BAUERLE: Philip Bauerle, interim master gardener coordinator.

MS. WARDEN: Sue Warden. I'm the office manager.

MS. FARRELL: Mary Ann Farrell, business operations coordinator.

MR. HIMES: I'm David Himes. I'm an assistant in landscape designing.

MR. HENDERSON: Shad Henderson, 4-H youth development.

MS. KNAUSS: Nancy Knauss, state master gardener coordinator.

MS. FEATHER: Sandy Feather, commercial horticulture.

MS. MIKULAS: Heather Mikulas, community economic development.

MR. WOLYNIAK: Brian Wolyniak, urban forester.

(Applause.)

(Pictures taken.)

PRESIDENT DEFAZIO: 8236-14. And all the rest will be read into the record.

MR. CATANESE: Let the record show Councilwoman Amanda Hawkins is present. Certificate of Achievement awarded to the Quaker Valley High School boys' ice hockey team for winning the 2014 Class A Penguins Cup Championship. Sponsored by Council members Baker and Rea.

8237-14. Proclamation declaring Tuesday, May 13, 2014, as Falun Dafa Day in Allegheny County. Sponsored by Councilman DeFazio.

8238-14. Certificate of Achievement awarded to Bishop Canevin High School boys' ice hockey team for

winning the 2014 Class AA Penguins Cup Championship.
Sponsored by Councilman Ellenbogen.

8239-14. Proclamation thanking Mr. Josh Noel for writing the Chicago Tribune article entitled New Meets Old in Pittsburgh: This city is cool. What's more, it is not self-conscious enough to care whether you know it. Sponsored by Councilwoman Heidelbaugh.

8240-14. Certificate of Recognition awarded to Ms. Edith Mazzuco Reid upon the occasion of her 103rd birthday. Sponsored by Council member Macey.

8241-14. Certificate of Achievement honoring the Bethel Park High School boys' ice hockey team for winning the 2014 Toyota-USA Hockey High School National Championship. Sponsored by Council member Means.

8242-14. Proclamation thanking the Honorable Ralph LeDonne for his 13 years of service as a Legislative Constituent Outreach Specialist for the Honorable Mike Turzai, Pennsylvania House of Representatives Majority Leader. Sponsored by Councilwoman Rea.

8243-14. Proclamation congratulating Mr. John Lydon, Chief Executive Officer of Auberle, for winning the Pittsburgh Business Times 2014 Diamond Award. Sponsored by Council members Robinson, Macey and Heidelbaugh.

8244-14. Proclamation honoring in memoriam, Rubin Hurricane Carter, the middleweight boxer whose wrongful murder conviction became an international symbol of racial injustice. Sponsored by Councilman Robinson.

8245-14. Proclamation remembering in memoriam, the Honorable James F. "Jimmy" Lally, notable labor leader and former Pittsburgh City Councilman. Sponsored by Councilman Robinson.

PRESIDENT DEFAZIO: Okay.

MR. FINNERTY: I'd like to be a co-sponsor on that last proclamation.

PRESIDENT DEFAZIO: Joe?

MR. CATANESE: Okay.

PRESIDENT DEFAZIO: Okay. We have public comment now. First speaker, Martin O'Toole, followed by Dave Buchewicz, followed by James Converse. Martin O'Toole.

MR. O'TOOLE: My name is Martin O'Toole. I live at 1443 Grandin Avenue, Pittsburgh, PA, 15216. I want to thank the council for letting me speak tonight. I'm the business manager of Plumbers Local 27, with 450 plumbers,

140 maintenance plumbers and about 500 retirees. I'd like to talk about the drilling in Deer Lakes. I think that we should look at this as Pennsylvania jobs, because this is Pennsylvania gas here. Every time I go onto these sites, I see nothing but Wyoming, Texas and Oklahoma plates. The only one on the project from Pennsylvania is a security guard. Even to go one step further, with it being drilled in Deer Lakes, I'd like to see Allegheny County Pennsylvanians. Also, with the administration, with the deal that they made, that seems to be a very good deal of what they're getting out of it. What would happen in the revenues is to be able to fix up these other parks to get the community back to these parks, to be able to use them all, not just Deer Lakes. And also, a big part of this is the safety. We can be very safe on doing this drilling. I think the administration has looked into it, and it's going to make this very safe. And it should be good, because we could use the jobs in Pennsylvania. Thank you.

PRESIDENT DEFAZIO: Okay. Next we have David Buchewicz, followed by James Converse.

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

MR. BUCHEWICZ: Members of County Council, thank you for allowing me to speak and share my concerns with you. Our parks are in a disgraceful condition and the problem is there is no money for maintenance and improvements. And it seems like there's no money for anything anymore. Last Saturday I personally took 18 pictures to show you some of the problems with blight in South Park. That's the park that I live by. I can take many more pictures of the problems in South Park if needed. Council members Danko, Futules, Kress, Martoni and Rea, would you please share the pictures I gave you with your --- the person sitting to your right and left. I'll pause for a few --- for a second --- for a while to let you look at them.

MR. FUTULES: You've got three minutes. I suggest you keep talking.

MR. BUCHEWICZ: I know. I'm quick. The rest of it's quick. The Allegheny County residents are overwhelmed with taxes, so we have to get the money from somewhere to fix up our parks. The somewhere could be from a portion of the \$4.7 million upfront payment and you add 18 percent royalties, which could yield \$3 million a year for over 20 years. That was in the paper today.

You, as members of County Council, have an opportunity today to improve our parks without raising taxes. Without County Council's approval for Deer Lakes' portion of the project, drilling is going to happen anyway on private property, with no benefit to Allegheny County.

The maintenance crisis in the parks must be addressed, and I believe the monies County Executive Fitzgerald is seeking from deep horizontal drilling, from well pads positioned outside the park with strict environmental controls will be a step forward to improve the parks without raising taxes. And I thank you for listening.

PRESIDENT DEFAZIO: Thank you. Next we have James Converse, followed by Petra or Petra (changes pronunciation) Mitchell.

MR. CONVERSE: Hi. My name is James Converse. I live at 1901 Sleepy Hollow Road, South Park, and I'm a registered land surveyor in Pennsylvania. And I understand that this project is going to move forward on the private side irrespective of what the county does. And what's going to happen, though, is there's things that you've negotiated here on that could possibly be lost, and this is important. Some of these environmental things, like the water --- water improvements and things of that nature. That's a great thing. And I really feel that we need to do this project, just to prove to people that drilling can be done right. It's a good --- I think it's a good thing. I'm sure that we got a lot of laughs from this out there, but that's ---.

PRESIDENT DEFAZIO: Yeah, let's everybody ---. Let everybody speak. Everybody that's on the list will speak, but no one should interrupt no one. Go ahead.

MR. CONVERSE: Thank you. And the other --- my other point is that we have --- as Mr. Buchewicz pointed out, we have a tremendous amount of problems inside all of the parks. And we need to get the money from somewhere. Are we going to raise our taxes? I can see this audience if we had to raise our taxes three mils. I mean, let's think about that, you know. And I thank you.

PRESIDENT DEFAZIO: Is that --- that's all right. Petra Mitchell? Petra? Is Mitchell not here? Mitchell, followed by Reginald Good. Are you --- what's your name?

MS. GOLDMAN (phonetic): Rachel Goldman.

PRESIDENT DEFAZIO: No. Reginald Good? Next would be Karl Pietrzak --- Pietrzak (changes pronunciation). Karl?

MR. PIETRZAK: Yes. Karl Pietrzak. Thank you. I live at 605 Windover Drive, Pittsburgh, and I work for Visit Pittsburgh. We're an economic development agency, and our mission is to bring people to Pittsburgh, both leisure travelers and also people attending meetings and conventions. And I want to thank County Council for letting me speak today, and I wanted to talk a little bit about the impact that the energy sector has had on Pittsburgh and was bringing business to the city and to the region. The business sector for energy continues to create great opportunities in the medians industry in Pittsburgh. And we're seeing dramatic increases in the pace of Marcellus Shale related to meetings and convention bookings. We started with one Marcellus Shale booking in 2009, and now we have 12 energy-related conferences booked for 2014, which will bring more than 13,000 people and an estimated \$16 million in direct spending to Allegheny County.

Some examples of recent conventions held in Pittsburgh include the American Society of Civil Engineers, the American Gas Association and the Marcellus Shale Coalition. Not only do they bring direct spending but also create tax dollars for the county and the city. Thank you.

PRESIDENT DEFAZIO: Okay. Andrea is it Geraghty (phonetic)? Steve Mazza, next.

ATTORNEY GERAGHTY: Good evening, members of Council. My name is Andrea Geraghty, and I'm a partner in the Pittsburgh law firm of Meyer, Unkovic and Scott. I also served as chair of the Allegheny County Vision Team on energy and the environment. I'm here to encourage you to support the Deer Lakes lease. The proposed natural gas drilling at Deer Lakes Park is directly in line with the recommendations that the Vision Team on energy and the environment made in its report to Allegheny County last year.

Our mission was to explore energy opportunities that would provide economic growth in our region while simultaneously protecting our environment. After months of debate and research, our team, which comprised experts with backgrounds in environmental protection, consumer advocacy, oil and gas policy and law, energy research,

recommended that Allegheny County should take advantage of the natural gas resources to become a leader in energy, provided that any drilling did not disturb surface areas of the parks and that it was performed with the utmost concern for the environmental public health and safety factors.

The proposed lease at Deer Lakes Park fulfills those requirements and is unprecedented in Pennsylvania, in its stringent safety, environmental and community health precautions. It is also designed to directly benefit Allegheny County residents in the form of a \$4.7 million bonus table, \$3 million to benefit county parks, and ongoing royalties estimated at \$3 million annually. These payments will help our county provide much needed services for our residents without increasing their tax burden. County residents will also be given preferences for any jobs created by the project.

Natural gas drilling has brought enormous benefits to our region in recent years. In Washington County, energy production in 2013 alone brought more than \$1 billion in capital investments to the county. Across Pennsylvania, the most recent statistics show that employment in the core industries related to Marcellus Shale drilling increased 157 percent from 2009 to '13, and average wages are nearly \$90,000. Many companies are also bringing their businesses to Pittsburgh and building headquarters here. In my field of real estate law, I can tell you that Chevron recently paid \$17.5 million to purchase land upon which it proposes to build its headquarters in Moon Township.

It's anticipated to accommodate more than 1,500 employees, and it's the largest development in Moon Township since the construction of the old airport in 1952. The natural gas boom has also benefited many other industries, such as environmental and engineering firms, freight and trucking companies, conservation programs, iron and steel manufacturing and even law firms; while surely some of those employed as a result of this boom have been transplanted into our region, and many of our sons and daughters, our family and friends, now have new and viable opportunities for long term, family sustaining employment. I know that I'm done. I have about three more sentences. May I ask for an extension?

(Outbursts from audience members.)

ATTORNEY GERAGHTY: I'm happy --- I'm happy to concede. You must make a choice. I'd like you to make choices to be leaders in our region. Thank you.

PRESIDENT DEFAZIO: We're going to do this with everyone because ---.

ATTORNEY GERAGHTY: Thank you. I understand.

PRESIDENT DEFAZIO: Steve Mazza?

MR. MAZZA: Thank you, Mr. Chairman, County Council. In this day --- Steve Mazza, 2912 Jefferson Avenue, Pittsburgh, PA, 15204, Council rep for Keystone Mountain Lakes Regional Council of Carpenters, who represent thousands of members in our region. In this day and age with the global economy and all our jobs going overseas, this is an opportunity, not only to give our young people of PA the chance to make a decent wage, with the possibility of summer jobs in our parks, but to rehab our parks like they haven't been in years because of the limited resources and not being able to afford enough manpower. Don't let this opportunity slip out of our hands by not passing this lease agreement. The time is now to take advantage of the new job growth in our region and to make our parks beautiful again. Thank you.

PRESIDENT DEFAZIO: Thank you. Next, followed by Thomas Stockhausen, followed by Dennis Bolitho.

MR. STOCKHAUSEN: Good evening. My name is Tom Stockhausen. I'm a resident of Mount Lebanon, Allegheny County, president of the CDR Bridge Systems, and I'm a former regional manager of CDR Maguire, a civil engineering and environmental firm here in Pittsburgh. Our company has done a small amount of work for the gas industry, but our primary environmental business is in environmental compliance with transportation. I'm not an expert in the environmental field; however, our staff includes environmental planners and scientists who are. And they believe that --- that the gas drilling process is reasonably safe.

I am a regular user of the county parks, particularly South Park. And I believe that the county has done an incredible job of providing and maintaining a remarkable county park system. Your decision is not just about protecting the environment in the parks, even though I think that's your first priority. You're also stewards of the county's finances, and I don't believe those two priorities are mutually exclusive. For the lease, in the news reports that I've read about the proposed deal, it

appears that the county has taken precautions to protect Deer Lakes Park and the surrounding environment. My only suggestion would be that you engage an inspector to inspect the drilling process just as if the county were doing a capital project itself.

And I'm not saying that to be self-serving, because we don't do that kind of work. I think that we're all aware that the public has lost interest in tax increases. We can reference the county drink tax that saved our transit system, but the cost of government continues to increase. And I can't guarantee my math is accurate, but it seems to me that the front-end payments on this lease alone are the equivalent of about a two percent increase in the county millage. And I think that's pretty significant. I think the county has been incredibly creative, and I support this lease. I also want to add, there's apparently been gas drilling in South Park. There's an active well there. It took me a few days to find it. I was not aware of the process to drill it, but I don't think that the existence of that well has, in any way, detracted from that park or its function. Thanks very much for your time.

PRESIDENT DEFAZIO: Thank you. Dennis, followed by Mirela Selfo.

MR. BOLITHO: My name is Dennis Bolitho. I live in South Park. I think it's wise and prudent to accept drilling in Deer Lakes Park, the opportunity to have that kind of revenue to regenerate our parks. When I drive from South Park, I see all the work that needs done. The shelters are in really bad shape. I have a five-year-old son who plays on the playground. The surface in a lot of the parks is dangerous. This is an opportunity to fix --- fix all these things. We, in South Park --- we consider that park a jewel to our community, so I hope you make the right decisions tonight. Thank you.

PRESIDENT DEFAZIO: Thank you. Mirela Selfo? Not here? Russell Fedorka? Russell, followed by Lester Ludwig.

MR. FEDORKA: Good evening. We're gathered here to discuss the fate of Deer Lakes Park. It's been said that fracking will bring jobs, and that fracking is safe and inevitable. So why not cash in; get some money for the county, fix up the parks. In the first place, you should have fairly taxed more all along, and we'd have that money now to fix up the parks and protect the water.

The funding problem can be connected to the huge amounts of money given to candidates by the fracking companies; \$1 million to a certain governor comes to mind. The money was spread all over the place to smaller races. It worked; didn't it? They have a sweetheart deal in Pennsylvania. There's good reason for states like New York to call a moratorium on fracking.

There's horror stories of families that can't sell their land and can't let their children out to play. Why is the fracking industry exempt from clean air and water laws? As a result of secret meetings of the Bush-Cheney administration in 2005. Why? Because the fracking process is so polluting, it would never pass the test. What about the salamander or crayfish or frogs or butterflies or trout or deer? They can't get their water from a water buffalo. They can't get their water from Pepsi. Why can't we protect at least our parks? If you vote to protect the park, you can tell your children that you stood up for the natural beauty of Deer Lakes Park. What about the lakes of the toxic overflow? Do we really want this activity next to our parks? What about the lights, the noise, the gas leaks, the trucks? Is that what you want to take your kids to?

Oh, don't worry, kids. That helped to pay for the swingset. No, we need to stand up and make this a limited activity, at best. And remember, humans, the real jobs of the future lay in renewables. We can take a front run on this. We should stand up for our parks. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Lester, followed by Christopher Hahn.

MR. LUDWIG: My name is Les Ludwig. I live at 6589 Rosemoor Street, in Squirrel Hill. I'm speaking to you as a food technologist this evening, and my concern is snow being snowed. What is being snowed? I attended the last meeting. That was very well run by Mr. Futules. After that meeting, I went up to the Range Resource people and I said, what is the length of time from the time an incident is reported to the time the laboratory reports back? Three men, each who had probably 30 years' experience, stood there, looked me in the eye straight out and said, we don't know.

I went home with the feeling that there was something wrong. And then on May 3rd, the article that

I've copied --- and you have copies of it; I've tried to prepare 100-some copies --- literally said, and I'll quote, Mr. Poister from the DEP says that it takes a month. Where is the snow job? Where are we being led astray? And I'm not saying I'm against fracking. What I'm saying is I'm deathly afraid that if there is an incident and it's poisonous enough, that they'll go on fracking for a month. One month, you want to pour poison potentially into water supply, agricultural animals, et cetera? So what did I do? I wrote a suggested contract amendment, a series of them, to guarantee that if you don't notify a specified person in the county, you pay one and a half times the value of the product produced as a penalty. Also, shut down the production until a laboratory result indicates a safe start of production; penalty equal to one and a half times the market value of production. Why one and a half? Because at one, they still got a profit. You've got to squeeze the toe and make them confine themselves to a safe operation. Laboratory must be totally independent; totally independent, no one having any relationship or ownership in a laboratory that's going to report, because that's our safety that's in the report of the laboratory. Okay.

The county should reserve the right to cancel on proof of earthquakes or results from fracking. Without these amendments, Range has the ability to walk all over us ----

PRESIDENT DEFAZIO: Lester.

MR. LUDWIG: --- as indicated in the ---

PRESIDENT DEFAZIO: Lester.

MR. LUDWIG: --- public article. Thank you.

PRESIDENT DEFAZIO: Okay. Thank you.

(Applause.)

MR. LUDWIG: You've got to fight or you're going to be walked on.

PRESIDENT DEFAZIO: Christopher?

MR. HAHN: Good afternoon. I'm Christopher Hahn of Shadyside, Pittsburgh, 15232. And I'm here as a resident of Allegheny County. And like so many of you, I'm deeply grateful for the wonderful park system that we are lucky enough to enjoy in this beautiful part of the country. I'm also very grateful for the rich cultural life of the arts in this region, and it is part of my personal mission to uphold and improve it whenever and wherever possible. One of the tools we have with great

foresight created in this county to advance our cultural life and amenities is a funding stream to support the Allegheny Regional Asset District.

A few years ago I, with other colleagues in the cultural community, became concerned that with the pressing need for a solution to our transit needs, that might be an inclination to divert funds away from our critical needs, and we presented those concerns to the County Executive. He was open to our concerns and pledged that he would do what he could to find new revenue sources that would protect RAD assets going forward. A man of his word, he worked hard to help create a solution to transit funding in the county, and he was a leader in the statewide, long-term trust funding package recently signed. Now in the proposal before you, he suggests a creative and intelligent approach that utilizes resources in a careful manner to help to rebuild our parks and infrastructure for future generations. I want to publicly thank the County Executive for his hard work and commitment to rebuilding our region, so that it can continue to grow and attract new residents and businesses for whom high-quality parks and recreation, arts and culture, museums, libraries; and other quality-of-life issues are of tremendous importance. I urge County Council to approve the County Executive's initiative. Thank you.

PRESIDENT DEFAZIO: Thank you. Michael Simms?

MR. SIMMS: My name is Michael Simms, and I live at 219 Bigham Street, in Mount Washington, City of Pittsburgh. I am a professional publisher and real estate investor. We know from history and the consensus of the scientific community that hydraulic fracking contaminates groundwater, pollutes the air we breathe and degrades land for other uses. And we know that sometimes fracking sickens and even kills people. But we also know this from Range Resources itself. The company tells us so. On page 26 of Range Resources' December 2012 quarterly report are several unusual disclosures. Here they are. Quote, our business is subject to operating hazards that could result in substantial losses or liabilities that may not be fully insured under our insurance policies.

Range Resources then goes on to say natural gas operations are subject to many risks, including well blowouts, craterings, explosions, uncontrollable flows of oil, natural gas or well fluids, fires, pipeline ruptures or spills, pollution, releases of toxic gases and other

environmental hazards and risks. If any of these hazards occur, we could sustain substantial losses as a result of injury or loss of life, severe damage to or destruction of property, natural resources and equipment, pollution or other environmental damage, cleanup responsibilities, regulatory investigations and penalties or suspension of operations.

We maintain insurance against some but not all of these potential risks and issues. We may elect not to obtain insurance if we believe that the cost of available insurance is excessive. Insurers have imposed revised limits offering how much they will pay on actual claims. In other words, Range Resources is saying that it cannot predict what will happen in any given fracking operation. Think about that. The company admits it simply does not know. A fracking operation may damage or destroy your home. It may poison your water. It may damage or de-value your land. A fracking operation may harm your family's health or worse. But don't worry, they say, insurance --- and that's assuming that insurance is even available --- may cover part of your loss.

If something goes wrong with fracking operations under Deer Lake, who will pay the responsible --- who will be responsible for the cleanup? Who will pay the price? It will be you and me, the taxpayers of Allegheny County. Our homes, our lands, our families and our health are at stake. Please vote against the ordinance.

(Applause.)

PRESIDENT DEFAZIO: Mary Grasha, is it, ---

MR. CATANESE: Grasha (changes pronunciation),
Mary Grasha-Houpt.

PRESIDENT DEFAZIO: --- followed by Joni Rabinowitz and Craig Rippole.

MS. GRASHA-HOUPPT: Good evening, County Council members. My name is Mary Grasha-Houpt. I reside in West Deer Township, Allegheny County. I am the Vice President of Human Resources for VisitPittsburgh. We are an economic development agency, and our mission is to bring people to Pittsburgh, both leisure travelers and meetings and conventions. We have seen a dramatic increase in the pace of Marcellus Shale-related meetings and convention bookings. For example, on April 9th to 11th, the American Association of Professional Landmen held their annual conference with 2,500 attendees at the Convention Center. The attendees used nearly 1,800 hotel room nights and

contributed \$2.2 million into our economy for this conference alone.

These energy meetings bring significant revenue to the county. Because Allegheny County has such a great supply of natural resources and expertise in the energy field, many conferences and meetings of the energy industry are held here. These conferences have been significant to the hospitality industry, in terms of hotel stays, restaurant business, transportation, retail and attractions. In addition, the employees who work in the industry have been positively affected as well. And from a personal standpoint, as I mentioned, I have lived in West Deer Township for 30 years and visited Deer Lakes Park on a number of occasions. I've also attended stargazing parties there hosted by the amateur astronomers. When we attended the stargazing party a few years ago, we found out that the restrooms were boarded up due to lack of funding. I support drilling in Deer Lakes Park and the financial investment and commitment that will greatly improve the park's facilities. Thank you.

PRESIDENT DEFAZIO: Thank you. Joni Rabinowitz, followed by Craig Rippole and John Detwiler.

(Brief interruption.)

PRESIDENT DEFAZIO: Joni, why don't you get started while they pull these petitions out?

MS. RABINOWITZ: I can start?

PRESIDENT DEFAZIO: Yeah, get started. We can't tie the whole night up.

MS. RABINOWITZ: Okay. I'm stating my --- oh, by the way, I just handed out some drawings by some children, and I just gave them to Joe over here, the children's --- drawings that some children made in Deer Lake --- of Deer Lakes Park. I'm stating my expectation that all of you will vote to protect Deer Lakes Park for all the residents and taxpayers, as it was meant to be. And I want to tell you about these petitions we're delivering here. Last Friday I delivered to your office a boxful of the very same petitions, mostly the original versions, about 700 --- 7,176 signatures.

Now we have closer to 7,400 signatures, and more come in every day. This show here is to further impress on you the magnitude of opposition among your constituents. They don't all have addresses, but they all have ZIP Codes. And I stress, a lot of people --- thousands, more than 7,000 --- have signed these petitions

telling you they don't want fracking under their parks. There are several different petitions here from a simple demand that you say no to more detailed ---. What they all have in common is 7,400 people; is a simple demand that you say no. Please give County residents the respect they deserve and review these petitions before you vote, even if you have to postpone the vote until your next meeting or until next year, so you can do more due diligence and avoid personal legal liability. But I digress. Here are a few of the statements people added to their petition signatures. From Liz Pelak (phonetic) in Tarentum: the long-term consequences are so severe that no amount of money can ever justify this, ever. It's from Patricia Solova (phonetic) in White Oak: have we not read enough about the deleterious effects of fracking in our parks? From Joanne in Russellton: these county parks were created to keep nature in our shrinking world. Do not permit gas extraction. And from Sonya Liskowsky (phonetic) in Kennedy Township: we, the owners of these parks, totally reject any attempt to sell our properties to the filthy frackers. From Dave Dunning (phonetic) in Tarentum: we all know someone who suffers from mine subsidence. How soon do we all suffer from fracking subsidence?

I want you to notice all the petitions that are here. They're still going around the room. I want to urge you to vote no. I want to urge you to vote no tonight. You've heard a lot of testimony --- you've heard a lot of expert testimony; and here we are.

(Applause.)

PRESIDENT DEFAZIO: Okay. How about rolling it up so we can have the next speaker?

MS. RABINOWITZ: Excuse me?

PRESIDENT DEFAZIO: Roll it up so we can have the next speaker.

(Brief interruption.)

PRESIDENT DEFAZIO: Would Craig Rippole please come up? Is Craig Rippole here? John Detwiler?

MR. DETWILER: Here.

PRESIDENT DEFAZIO: Would you please come up?

MS. RABINOWITZ: Thank you, President DeFazio, for inviting me. And thank you, Council. I'm sure you all will have the opportunity to look at the originals that I delivered to you on Friday, the originals of these petitions.

PRESIDENT DEFAZIO: Okay. John? Would you please start? We got to have the next speaker or else we're just going to move on. Go ahead.

MR. DETWILER: I'm John Detwiler, 5723 Solway Street. Thank you for another opportunity to speak and for your courtesy over these past few months. You've been getting a crash course in fracking, one that you never signed up for. You know, I've got a Ph.D. in Engineering from Carnegie Mellon, and I've now spent more years learning about this industry than I spent on earning both a Master's and a Ph.D. from Carnegie Mellon. So I understand how daunting this subject can be. I'll only make a couple of points about the measure that's on tonight's agenda. Number one, no jobs. You heard this out of the mouth of a corporate officer of Range Resources; none. Number two, the job fair that Range agreed to is provided by Penn State. The county can have the same thing any time it wants. So that job fair is not a benefit of this lease at all. Number three, the so-called DeFazio amendment has not fixed the glaring defects in this ordinance. Now one final thought. In this room last Thursday, we heard from one researcher about the social damage that he finds in communities that have already been fracked.

He's talking about a wounding of the body politic, on top of the physical illnesses that strike individuals. You can see those wounds in Washington County already. They make for the exact opposite of what we aspire to here, the opposite of an energized and livable community, of a magnet for diverse families and businesses. Instead, this researcher finds the cynicism and despair that comes with being manipulated and lied to. And of course, that brings me to Wednesday's meeting of the Parks Committee, when Councilwoman Means was allowed to ask questions only after the voting was over. Now the councilwoman doesn't need me to stand up for her, but I'm making a valid point, because that one meeting demonstrated in miniature how the leadership in both branches of county government has force-fed this entire process.

They've consistently put the answer before the question, just as they did last Wednesday. It started with the Executive determined that he was going to have a lease, no matter what he had to do or say to get it. So by last week when a member finally resorted to holding her

own meeting to learn what the scope of Council's deliberations ought to be, we weren't surprised that the leasing loyalists stayed away. Now that some of you are almost ready to begin your due diligence, the leadership is telling you, nope, time is up.

After years of looking at this industry, I am opposed to leasing in the park. Perhaps if this body, as a body, were allowed to deliberate frontwards instead of backwards, it might come to agree with Protect Our Parks, or it might disagree. I think I'm willing to take that gamble, but the Executive is not, and for that we are just beginning to suffer.

(Applause.)

PRESIDENT DEFAZIO: Aaron Booz? Aaron, followed by Pete Jeffrey and Tim Joyce. Aaron?

MR. BOOZ: As you well know, Article I, Section 27, of the Pennsylvania Constitution states the people have a right to clean air, pure water and to the preservation of the natural, scenic, historic and aesthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people. And they're printed to my right, and it's being passed out to you as well.

The landmark Pennsylvania Supreme Court Decision issued last December when Act 13 makes clear that Allegheny County Council must act consistently with those words and must fulfill its trustee obligation to ensure that the natural resources are conserved and maintained for the benefit of all the people. In addition, that decision detailed municipalities' obligation to perform due diligence before approving any fracking operations. As you are probably aware, the Protect Our Parks Coalition has been in consultation with the attorneys who successfully tried and overturned the Act 13 legislation.

Those very knowledgeable attorneys have provided us with ten questions that we present to you. They're over here, and they're in front of me now. We are told that if Council cannot answer yes to every single one of these questions I'm about to read, then Council has not legally met its duty to perform due diligence and leaves itself open as a body and individually to resident lawsuits in which this council and Allegheny County can be

held separately and distinctly liable, apart from the fracking companies performing the extraction.

I will now ask these questions of you. Number one, have you performed air modeling to determine what emissions would be coming off the site as a result of the county's lease? Have you performed modeling to determine how far the emissions will travel into the park? Have you performed modeling to determine how any emissions could cause negative health effects to the park or to people using the park? Have you performed a noise study as to how it will affect the park or citizens' use of the park? How long will drilling activities take place; years, decades? Without knowing the exact location of the wells, guaranteed, in writing, how can you possibly know answers to the previous five questions? Has a hydrogeological study been performed to determine whether any water in the park lakes, streams and springs would be affected by a spill? In other words, could contaminated groundwater reach any water resource within the park? If so, how could that study have been done without knowing the exact well locations or the exact chemicals proposed to be used? Number nine, if water resources at the park are impacted, how long will the impact affect the park; for years, decades? Lastly, have you performed a health impact study?

Have you heard scientific testimony from public health professionals and been instructed on how, where and by whom accidents and complications would be handled. Once again, the information we've received is that approving this legislation would be legally very risky for the county, for the taxpayers and for each of you personally. We hope you will think very carefully about the very real risk of litigation before casting your vote. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Pete Jeffrey, followed by Tim Joyce. And after Tim Joyce is Deborah Lange.

MR. JEFFREY: I'm Pete Jeffrey and I live in Indiana Township, and I don't have any credentials that I've heard here tonight. But I do have this much. I've been following it, and I feel that a resource --- resources --- I won't get biblical or anything --- it's a God-given right to use, to have, to benefit everyone. On the other hand, I heard the words due diligence. I heard a few other words. And I only can say that I feel that

these gifts that were given, these --- and it's not just this. So many times you have good people on both sides of an issue, both sides making great sense, logical sense.

But if you find that --- I didn't hear anybody say when they were saying due diligence, that you just can't use that resource. They said use due diligence. And that's all that I can say. I feel that the vote should go to use this resource, but due diligence should be used. And I trust --- I've been 59-plus years here in this county. I've been --- I say I'm from Indiana Township. And I'm proud of Allegheny County. I'm proud of the park system, and I feel that this due diligence that came up twice tonight is correct on where I see all the green. On the other hand, I trust that that's what's going to happen, too. And that's my opinion. I thank you for the opportunity to say this in front of all of you. Thank you.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: Tim Joyce, followed by Deborah Lange and Tim Ludwig.

MR. JOYCE: Good evening, Mr. President, members of Council. Thank you very much for having me here tonight. My name is Tim Joyce. I'm a resident in Plum Borough and I currently serve as Chief of Staff for State Senator Jim Brewster in the 45th Senatorial District in Pennsylvania. Our district includes Braddock, Rankin, East Pittsburgh, Turtle Creek, Wilmerding, Duquesne, Clairton and McKeesport, Arnold and New Kensington. What coal and steel did for our region decades ago can be replicated by the Marcellus Shale industry. We have to be ready and able to take advantage of this great opportunity.

Estimates of up to 1,000 jobs created over the next 20 years are considered conservative; jobs that pay families sustainable wages and have benefits; jobs that pay \$60,000 and \$80,000 a year; union jobs such as welders, crane operators, heavy equipment, plumbers. I saw Mr. O'Toole back there, the carpenters spoke earlier --- iron workers, electricians, truck drivers and mechanics will all see work increased. Professions such as attorneys, land surveyors, engineers, geologists, geochemists, every profession will see jobs expanded as we move forward. On a statewide basis, extraction fees and taxes currently being debated in Harrisburg for Marcellus

Shale will be put to good use. Funding for education was cut when the stimulus funds expired.

The cuts have been passed on to local school districts across the state. Seventy-five (75) percent of all districts have raised property taxes over the last two years. Revenue from Marcellus Shale extraction and taxes can be used to backfill the cuts the state made in education. This will help relieve the pressure on local school districts, and more importantly, on our residents who have been paying higher taxes. For years, we bemoaned our national reliance on foreign oil. We've complained about the cost of gasoline, and it continues to climb. This week alone the price of gas has gone up 10 to 15 cents. Marcellus Shale is the best option we have in Pennsylvania to create family-sustainable jobs, increase funding for our schools, fund infrastructure improvements without increasing taxes on our citizens. And it will, at the same time, reduce our dependence on foreign oil. Ladies and gentlemen, Marcellus Shale is our future. Thank you for your time this evening.

(Applause.)

PRESIDENT DEFAZIO: Okay. Number 18 was out in the hall. Let me make this clear now. When we call your name --- he said he didn't hear his name called. When we call your name, if you miss it, you got to wait until the end. We're going to go back to Craig Rippole. Are you here now?

AUDIENCE MEMBER: Is there a list somewhere? Where's the list? There's no list in the hallway. No one knows ---.

PRESIDENT DEFAZIO: I'm calling the names from here.

AUDIENCE MEMBER: But that's why no one knows to go to the bathroom or anything, and they don't want to miss their turn, sir. Is there a list that could be present outside?

PRESIDENT DEFAZIO: But when you hear your name or tell someone --- you know, if someone runs in and says ---.

AUDIENCE MEMBER: Sir, I don't know if I'm 50 or 75, or what.

PRESIDENT DEFAZIO: I'm not calling --- I'm calling names, not numbers. Let's go right now with Mr. Rippole. Come on.

MR. RIPPOLE: I'm very sorry for the confusion. My name is Craig Rippole and I reside at 9118 Montclair Drive in Moon Township. I'm here today to express my support for the Deer Lake drilling plan. I support the drilling because I believe it's an efficient and effective use of the public resources, especially since the lease terms are more favorable than those commanded by private landowners and because of the economic impact it will have on the county. It is my understanding that there is \$100 million in deferred maintenance that needs to be addressed in the nine county parks, and that there's only --- and that there's ongoing pressure on the parks' annual capital budget to finance any improvements and upgrades. So this is apparently both a catch-up and a keep-up problem. I recently visited a modern playground at Settler's Cabin and got to see firsthand how appealing the new equipment is and how well --- as well as how much safer and more handicapped accessible the newer playgrounds are. I actually felt comfortable letting my three-year-old daughter run around and explore.

I thought to myself that every kid in the county should have the opportunity to play on this kind of equipment, and their parents should have the peace of mind that the rubberized playground safety surfaces provide. And by every kid I mean every kid, including those physically handicapped. Unfortunately, from what I've read, only 11 of the county's 73 play areas are handicapped accessible. This for me really helped to drive home the point that our parks are under-funded and must be properly financed to help every resident --- give every resident the opportunity to safely enjoy them.

I only see four options for properly financing our parks. These are reduced funding for other county programs and to redirect funding to our parks; increase revenues, possibly via additional tax --- property tax increases and funnel the increases to our parks; borrow money and let our kids worry about how to pay back, or create a new source of revenue by more effectively utilizing existing county resources assets, like drilling on public land. Given the community priorities of the county and limited availability of capital dollars, I believe more money needs to be allocated to these programs.

If you think about it, you really can't enjoy a park if you don't have the economic security that affords

you the leisure time to do so. So when you consider if the lease went on, you'd get \$3 million of park improvements, but also a \$4.7 million bonus payment, plus another \$3 million annually, which can be leveraged to help grow the economy and create jobs, and that the non-surface lease negotiated by the county provides expanded environmental protection. It's hard to see how the cost outweighs the benefits of responsible drilling in Deer Lakes Park, and so I respectfully request that you support the initiative. Thank you for your time.

PRESIDENT DEFAZIO: Deborah Lange, followed by Tim Ludwig, followed by Jennifer Myers. Deborah Lange; okay.

MS. LANGE: Good evening, and thank you for allowing me this opportunity to speak a little bit. My name is Deborah Lange. I live in Point Breeze, 15208. And I am both a civil engineer, environmental engineer and an educator, and I really kind of see a teaching moment here. As an engineer, I applaud and appreciate solution-driven thinking. From my perspective, you know, we're all consumers and we're all consumers of natural resources. We're all aware of the impacts of climate change, yet we still drive our cars and produce greenhouse gases. We're aware of the hazards of landfills, yet we still generate waste.

These behaviors of comfort and convenience can be hard to change, but the potential for environmental impact still exists, and solutions need to be found. This is what we in the engineering profession do. We evaluate the options and optimize the solutions that meet the needs of society while mitigating risk. As a region, we are technological and industrial leaders. The Engineer Society of Western Pennsylvania was formed 135 years ago here to tackle infrastructure and development issues of the time, and as a society, we continue to tackle such issues.

As past president of the engineer society, I know that it is our intent to maintain this region as a center of engineering excellence and as a model for the rest of the world. We assess and balance costs, risks and benefits, so that we can solve the challenges of our time and improve the quality of life for our neighbors. I'm happy to see an engineering thought process being applied to policy making. So as an educator in science, technology, engineering and math, I see this

decision-making process related to the Deer Lakes Park drilling proposal as STEM in action.

Maybe folks do not understand the practice of engineering, because the application of engineering to real world challenges is often vague, behind the scenes, and frankly, taken for granted. But to use this real life example of a real societal challenge with strong pro and con arguments, to teach kids and parents about how science and technology are used to find solutions to complex problems and how engineering is not just a profession but a systematic way of thinking. It would be great if we could all live on renewable resources, but it's not likely in the near term given our habits of consumption and appetite for energy. As an engineer, I support responsible decision-making, especially when those decisions seek to set standards and minimize risk for activities that are already quite likely to happen. As an educator, I ask that we take advantage of this moment to showcase STEM education and the vital role that all professionals along the STEM spectrum, from machinists to Ph.D. engineers, play in responsibly meeting and balancing the needs and wants in the day-to-day lives of the residents of our communities. I look forward to a plan replete with sound and responsible engineering principles. Thank you.

PRESIDENT DEFAZIO: Thank you. Tim Ludwig, followed by Jennifer Myers. Let me say one thing first. If anybody wants to see when they're up, someone from our staff will be --- or has their hand raised, she'll have the list, so you can see it. Okay? All right. Tim Ludwig? Go ahead, Tim.

MR. LUDWIG: Tim Ludwig, 18 Greismere Street. I think a lot of members made up their minds months ago, so I'm going to direct my comments directly to one member, Mr. Baker. First, congrats on the marathon. I'm still catching my breath from walking here from the Strip District, so ---. Second, let me relate this to something a little bit that you're passionate about, Big Brothers, Big Sisters.

Now imagine for a moment that someone applies to be a Big Brother, and this Big Brother comes with a glowing recommendation. Rich Fitzgerald personally knows him, and he tells you he's a great guy. He even recruits other leaders to call you and say just how great this Big Brother is. Now you're really excited about this, because

the program could really use him as a resource. But then a couple blemishes pop up about this Big Brother's past. Could he have had violations in the past? Did he do something unlawful? Is he still doing something unlawful? So you ask Mr. Fitzgerald, what are these rumors? He says, oh, well, he disclosed everything to me, but you can't see that document.

And don't worry. Those are just minor things and trust me, I'm going to have tight control over him, so don't worry. Now can any of those controls make the risk zero? And who is responsible if something happens? Even if you feel that risk is minor, do you place that Big Brother with a Little, someone that is that vulnerable and can't speak for himself? No, of course, you do not. Now I'm not here for myself. I'm here for people like Nancy Hall and her family. I don't live down the street from a Marcellus drilling site. I don't think you do, either. But Nancy will. You're voting to possibly putting 14 wells around her house, or more, and who's to benefit from putting those in her neighborhood? Is it the people in her neighborhood? No. Is it even getting directed to her park, Deer Lakes? No. It is going to everyone's district here. Everyone gets a little more funds in their district. But where do all the negative effects go? They go to Nancy, Nancy and her family. Please vote no.

(Applause.)

PRESIDENT DEFAZIO: Jennifer Myers, followed by Thaddeus Popovich.

MS. MYERS: Hi. Jennifer Myers, 5431 Carnegie Street. Thank you all for being here, and thank you for taking the position to represent us and be our Council members. I have a lot of respect for all of you. And I've been involved in this since August, off and on, and I've never met a more inspiring group of people who actually care about the future, who are all wearing green scarves and aren't blinded by money, because that's not everything. It isn't; it isn't. The whole thing is those ten questions that Aaron spoke about. We can't answer them right now. There aren't --- we don't have the answers.

What's going to happen if there are lawsuits coming in? What's going to happen when spills happen? What's going to happen when things get ruined? What happens then? It's an unknown question, so why don't we just slow down and just put the brakes on this? I know

that's what we originally said. I wish that that had gone through, the moratorium. That makes sense. That actually made sense. The whole thing that doesn't make sense is this insane rush --- rush, rush, rush. It's like we're in an addicted state. It's heroin. We couldn't be more addicted to this stuff. And it's not going anywhere. It's right below our feet. And Pennsylvania has got, like, the bounty on it. I mean, it's not going anywhere. I'm so frustrated and so emotional right now, that I'm going to stop talking. But I have never been inspired by more beautiful people in my life, and there is 1,180 acres of land that you can keep as sacred. And that would be the best thing you could ever give your children.

(Applause.)

PRESIDENT DEFAZIO: After Thaddeus, Pia Colucci and Terri Supowitz.

MR. POPOVICH: My name is Thaddeus Popovich and I live in the Borough of Ben Avon, 6606 Virginia Avenue, Pittsburgh, 15202. First, I have my Clean Water hat on. Okay? I am a member of the steering committee. I am presenting 15 addressed copies of an open letter to Allegheny County Council representatives which opposes the leasing of Allegheny County public parks for shale gas extraction. Forty-six (46) organizations have signed on. I'm also presenting --- it's being handed out now --- 78 letters handwritten by constituents of Councilman Ellenbogen for his review. All oppose fracking in our county parks.

I am also presenting --- they're being handed out now --- an 18-name petition in opposition to fracking in the county parks, also from Councilman Ellenbogen's District 12. Now, a little role change. I'm a frustrated actor. I'm sorry. Next I will put on my Pete Seeger hat. Last Saturday, I had the privilege and honor of portraying Pete at a Sing Out for Pete event held at the First Unitarian Church on Morewood Avenue. It was fun. The place was packed with old people, like many of us in this room, and local groups played Seeger favorites like We Shall Overcome, If I Had a Hammer, Turn! Turn! Turn!, Where Have All the Flowers Gone? It seems to resonate; doesn't it?

It was there at that church in April of 1962 he performed when concerts booked by WQED and the Young Men's and Women's Hebrew Association were cancelled due to a public outcry over his alleged Communist activities.

Imagine that, Pete Seeger a Communist. It was an obvious First Amendment issue. Remember, this was the McCarthy era. Pete Seeger was questioned in New York City by a subcommittee of the House Un-American Activities in 1955. He ended up being blacklisted by the same committee. He continued to use his folk music to champion causes that included civil rights, international disarmament, labor rights and environmental justice. Pete Seeger received a Grammy Lifetime Achievement Award and was invited to perform at President Obama's inaugural concert. He came a long way; didn't he? Yeah. Last year at 93 he was performing at an anti --- as an anti-fracking activist at a Farm Aid concert in upstate New York while he sang, this land is meant to be frack free. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Pia? Next, after Pia, we have Terri Supowitz and Peter Wray.

MS. COLUCCI: Pia Colucci, 4725 Wallingford Street, Pittsburgh. Number ten; my handout includes maps of a one-mile evac zone for the Gulicks' well pad, as well as the others planned under the park, so the second picture is three evac zones. Number nine; Deer Lakes Park is a taxpayers' park. It is not to bear the burden to be the cash cow for county coffers. The park is in stellar condition. The trout are swimming. The lakes are not polluted. The five-year-old bathrooms are fantastic. Fitzgerald has lied to you. Number eight; at Sue Means' hearing, the lease showed huge holes in the water section alone, no protection of the park's lakes, either from pollution or water quantity flow. Range Resources has cheated you.

Number seven; Huntley and Huntley has been removed as the party to the lease. Why? So Mr. Futules can now vote without conflict of interest for his own unconventional gas wells' leases with them? Huntley and Huntley, as well as Range and Fitzgerald are trying to pull a fast one, hoping nobody notices. Number six; MSN Money last year reported the FHA lending guidelines prohibit financing homes within 300 feet of a property with an active gas or planned drilling site. Fannie and Freddie prohibit property owners from signing a gas lease on their property without letting them know first. Doing so puts their mortgages in, quote, unquote, technical default.

Most homeowners' insurance companies do not cover residential properties with gas leases or wells. Lenders speak their truth. Number five; Range is not the great partner Fitzgerald says they are. They have the second worst reputation amongst drillers. Fitzgerald has lied to you. Number four; real estate home prices decrease near frack sites. That is a fact. Don't be party to this debacle. Vote no. Number three; it's going to happen anyway. It may be true; likely, not. The park is the prize. Gas prices are tanking. Park gas is going nowhere. What is true is if you vote yes, the coming attractions are your liability, not Fitzgerald's. You may be sued. Spilling is just the beginning. You better think about it before you jump onto Fitzgerald Train to Lawsuit City. Number two; no local jobs, zero. John Applegate told you the truth on that one, but not much else, especially to you, Mr. Futules. I wouldn't drink that frack water. Had you bothered to come to Sue Means' hearing, you would know what really is in it. Range lied again. Number one, Act 13 liability. To say the majority of County Council has due --- has done their due diligence by --- is by the farce of three public hearings with nothing but Range, Huntley or Fitzgerald minions speaking is like saying you want to learn about space and you hire an astrologer to inform you about the heavens, rather than Neil deGrasse Tyson, the astrophysicist. You will be held accountable. Okay. Well, you have it, the rest of it.

(Applause.)

MS. SUPOWITZ: Hi. I'm Terri Supowitz, 310 Hay Street, Wilkinsburg. Mr. Futules, I was so disappointed with your Park Committee meetings. They were a sham. What were you afraid of, the truth? They were not impartial, objective or transparent. Almost 90 percent of the presenters were from Range or the county. Both have vested interests in your voting yes. They are salesmen saying whatever they have to say; fracking causes no risks, no damage, no harm. You have been lied to by Range, Huntley and Fitzgerald, and the residents will have to pay.

Mr. Finnerty, who is not here now, you think you have done your due diligence; really? Then you have no idea what that means. Mr. Macey, you said that in my heart, I think it is a good deal. You also said, I did not read the lease. Do you think so little of the residents of Allegheny County that you could not take the

time to read the lease? The frack water is only brine. Remember Range said that, only brine, salt? Really? Then they admitted that one percent were chemicals and dangerous ones. In Allegheny County we have 10,000 wells. Each well requires five million gallons of water. One percent of that is chemicals, which is 50,000 gallons per well. 50,000 times 10,000 is 500 million gallons of chemicals; 500 million gallons. That would fill 758 Olympic-size pools or 17 million bathtubs. That gives every resident in Allegheny County 17 bathtubs full of deadly, poisonous chemicals. Wouldn't you like that for Christmas? You are doing this fracking thing for the money. That's what it's about, money. You're getting about \$7 million upfront, not a lot of money, given your entire budget and the amount of money Range could make. The rest of the money is estimated; best guess, maybe, possibly. The reality is that no one has any idea what he will be really getting. Maybe you'll get millions more, but maybe you won't.

Most wells peak at six to eight years and then start to decrease. What will your royalty be then? Do what is right and moral. Vote no to fracking under, near or on Deer Lakes Park.

(Applause.)

PRESIDENT DEFAZIO: I understand Peter Wray is not here, so we'll go with Mark Cristello and Devon Cohen. Is Mark Cristello here? Mark Cristello; yeah? How about Devon Cohen?

AUDIENCE MEMBER: He's not here.

PRESIDENT DEFAZIO: Okay. What about Bernie Fischlowitz-Roberts, followed by Dana Dolney.

MR. FISCHLOWITZ-ROBERTS: Good evening. Bernie Fischlowitz-Roberts, 5728 Elwood Street, Apartment 6, in Pittsburgh, 15232. As a result of an amazing job opportunity for my wife, she and I moved to Pittsburgh from the West Coast last year. We've really enjoyed getting to know our new city and have been tremendously impressed with how many interesting things are happening here. When she and I think about where we would like to settle for the long term, high on our list are things like access to nature, in parks and open space, sustainability policies, and a robust public transit system, which together contribute to a high quality of life and make an area livable.

The mere fact that there's serious discussion about drilling under county parks, makes us much less likely to want to stick around in this area. On a recent trip back to the West Coast, I mentioned this proposal to frack under the county parks to some friends there. To a person, they could not believe that such a thing was even under discussion. They were appalled, and you could see in the looks on their faces, that their impressions of southwest Pennsylvania became quite negative. And so I would ask respectfully to members of the council, is this the kind of reputation you want southwestern Pennsylvania to have to folks in other areas of the country? Last month my wife and I attended a reception at the Phipps Conservatory in Pittsburgh. County Executive Fitzgerald was in attendance, and he praised Phipps, rightly so, for its comprehensive sustainability efforts, which are truly impressive, and he said that Phipps is a great example for all of us, about doing things right when it comes to sustainability.

I agree. I just wish the Executive would follow that example, rather than continuing his forceful push to drill under Deer Lakes Park. I'm not sure whether everyone in the room that night was too polite to call him out on the rank hypocrisy, or if they were simply unaware of this issue. But whatever you may think of this proposal, it is the farthest thing imaginable from being environmentally responsible. I will close with two points. First, I would urge the Republican members of Council to remember that conservation is a conservative value. The people of this region deserve a more thoughtful and sustainable energy policy than something as simplistic as drill, baby, drill.

Secondly, though our culture often loses sight of long-term concerns in the quest for short-term gratification, it's important to take the longer view. And this was expressed really well by the great American essayist, Wendell Berry. He said, whether we and our politicians know it or not, nature is a party to all our deals, and she has more votes, a longer memory and a sterner sense of justice than we do. Please vote no to protect our parks. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Dana Dolney, followed by Briget Shields.

MS. DOLNEY: It's Dolney, Dana. Thank you.

PRESIDENT DEFAZIO: Okay.

MS. DOLNEY: My name is Dana Dolney, and I'm from Polish Hill, Pittsburgh. I don't really know what to say today, because I don't know where many of you stand on this anymore. I'm disappointed, to say the least, because I know two people came to give presentations last week, and very few of you bothered. And I want to commend those of you that made the effort to go and listen to Dr. Stolz, because he's one of the only people that is actually studying the effects of the groundwater here in western Pennsylvania, and he is an expert on it. And you chose to ignore it. You chose to ignore what he had to tell you. Therefore, I cannot believe that you have done your due diligence. So what I want to point out today are a couple of things. First of all, I've heard all these people talk from Jobs, Pittsburgh, this, that and the other, VisitPittsburgh. That's not what this is about today. This is about fracking a park, okay, fracking a park. To frack a park or not to frack a park, that's your question, okay, not to develop the gas industry for all of western Pennsylvania. That's not what's before you today.

So the resources that we were actually given were air and water. They're very important resources, not the resources in, under --- 7,000 feet below the park. Also, please understand the park is the resource, not the bathrooms, not the swings; it's the park.

(Applause.)

MS. DOLNEY: The park is what is so important to the people, because the swing is not a fair tradeoff for your kid to get asthma. And since I haven't heard any of you talk about air, I'll talk about air. I don't know how Rich Fitzgerald is going to keep all the silica outside of the park. Do you know what silica is? Do you know what silicosis is? Do you know why it's a concern? If you're all looking blank, then that's a problem. Silica; look into it. Secondly, things like chloromethane, trichlorofluoromethane, 1,1,2-Trichloro-1,1,2-trichlorofluoroethane. Do you know what these things are? Do you what effect they have on your children?

MR. ELLENBOGEN: More than you do.

(Outbursts from audience.)

MR. ELLENBOGEN: I'm not going to sit here.

(Councilman exits meeting.)

MS. DOLNEY: Then I'd like to know what you propose to tell the ---.

(Booing from audience.)

MS. DOLNEY: I was in Washington County today to go help a woman who needed water, because Range Resources left radioactive waste on a well pad outside of her house, from this article, so you know that I'm not lying. I was there today to talk to her, because Range Resources still hasn't come to answer her questions about her water. I went there to offer her water, because nobody else is. I did. What are you doing? What are you going to do when the neighbors call, because Rich Fitzgerald isn't going to be there to give them water. The DEP isn't there to give them water. It's the citizens that actually care about these people, that are there to try to give them clean water while they find out whether or not there's radioactive waste in their backyard. This is Don Heppe, not me. Go ask him how legit this is.

PRESIDENT DEFAZIO: I'll give you a few more seconds.

MS. DOLNEY: I don't need a few more seconds, because you people don't even bother ---. You walked out on me last time. He walks out on me this time.

PRESIDENT DEFAZIO: I've never walked out on anybody.

MS. DOLNEY: Yes, you did, sir.

PRESIDENT DEFAZIO: When did I ever walk out?

MS. DOLNEY: I asked you kindly to sit and listen to me. And as soon as I finished saying that, you stood up and you walked out, sir.

PRESIDENT DEFAZIO: I never walked out, unless I was going to the bathroom.

MS. DOLNEY: There was a ton of witnesses here that saw you do it, sir.

PRESIDENT DEFAZIO: You know what? Finish up, if you want.

MS. DOLNEY: I will finish up, because this is important.

PRESIDENT DEFAZIO: A few more seconds; go ahead.

MS. DOLNEY: This is the most important thing. This isn't --- this isn't just about ---. I'll talk directly to you. I don't care about the microphone. These are the people, these are the families. I have to talk to the people's families.

PRESIDENT DEFAZIO: No, no. You're not talking. You're talking on your speech, and that's it.

MS. DOLNEY: I have to talk to the people's families that aren't allowed to let their kids outside on certain days. I have to talk to the people that are concerned about whether or not it's humid, or it's not humid, or if they can breathe, or their kids should be outside. You don't know what that's like.

PRESIDENT DEFAZIO: Okay.

MS. DOLNEY: I'm asking you to do your due diligence.

PRESIDENT DEFAZIO: Okay.

MS. DOLNEY: Some people have done it. I'm asking the rest of you to take the time.

PRESIDENT DEFAZIO: Okay. You're well over the three minutes now.

(Applause.)

PRESIDENT DEFAZIO: Briget Shields, Ed Chute and Gwen Chute.

MS. SHIELDS: I'm Briget Shields, Pittsburgh, PA. It's been almost ten years now since fracking started in Pennsylvania. And last week I am really sorry that you missed two excellent presentations by John Smith and Jonathan Kamin, the lead attorneys in the Act 13 case. I was even enlightened by their presentation. And the thing that they said mostly was that Republican Chief Justice Ronald Castille, Pennsylvania Supreme Court, by any responsible account, the exploration of Marcellus Shale formation will produce a detrimental effect on the environment, on the people, their children, the future generations and potentially on public purse, perhaps rivaling the environmental effects of coal extraction.

Chief Justice articulates a new framework for evaluating government actions under Article 1, Section 27, which guarantees each citizen the right to clean air, pure water and the preservation of natural, scenic, historic and aesthetic values of the environment. Those environmental rights presumably are on par with other civil liberties found in the article's Declaration of Rights, writes Castille, and the fact that the Constitution declares them inviolate necessarily implies that economic development cannot take place at the expense of an unreasonable degradation of environment.

So here are some of the questions that Attorney Smith has posed on due diligence. And in the lease, which I didn't know --- as he was going through the lease with the few members that were here --- we don't even know

where these wells are going to be located. So it's impossible to under --- to answer these questions. He also said that the water safety measures in the lease talk about the quality, have nothing to do with the quantity. So Pennsylvania is the only state that isn't taxing this industry, number one, if you're talking about money. The other thing is, Rich Fitzgerald says that he doesn't want to be picking --- nitpicking and micromanaging this lease. Well, you're all going to be responsible, and I wouldn't like to see anything happen to you individually --- more or less, as a body --- because then it becomes the taxpayers who will get the brunt of the cost of lawsuits. So today we know that climate change is real. The president said it. It's been on the news all day. There's radioactive sludge in Washington County from Range Resources. There was an organization formed for best practices with the industry and environmental people and governmental people. Range Resources doesn't want to be a part of that. And there are a lot of things every day coming out, health impacts that are now peer-reviewed studies.

PRESIDENT DEFAZIO: Finish up.

MS. SHIELDS: Thank you. And you missed a great presentation. John Smith was at Yale, and they said Act 13 was the most important environmental case in the history of the United States. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Edward Chute, followed by Gwen Chute, followed by Lucas Lyons.

MR. CHUTE: Ed Chute, 904 Valleyview, Mt. Lebanon. You may be calling me a nobody with a Ph.D. Air, noise, light, water, radiation and traffic pollutants know no boundaries. They come from human machines and natural things that we disturb, and they will fail. To deny otherwise is your daydream about to become someone else's nightmare. Parks are set aside, natural places that families and children need and value. Our job is to protect them, not industrialize them. Act 1, Section 27, of the Pennsylvania Constitution requires your due diligence concerning the county autocrats' ordinance and lease.

Your failure to accomplish such due diligence will place yourselves personally and collectively and our county taxpayers at risk and legally liable for any neglect consequences stemming from your individual vote.

Claiming due diligence isn't doing due diligence. Not once have I heard any proponent of Rich Fitzgerald's proposal answer Mr. Applegate of Range Resources first and most significant consideration, is extraction of natural gas and the industrialization of Deer Lakes Park even an appropriate use for public parkland?

The answer of the County Executive and his noisy machine of usual suspects who will profit from the proposal, is jobs, jobs, jobs and money, money, money. Weren't you listening when Mr. Applegate put the lie to all that noise about jobs when he said none, or when he made it clear that it was Rich Fitzgerald who originated the idea to industrialize Deer Lakes Park, not Range? Weren't you able to read or analyze Range's chart indicating that 75 percent of all royalty payments come within the first three years and vanish by year five; not the decades and decades that Fitzgerald claims. Fitzgerald suggests that the parks need money for non-existent restrooms. Surprise, surprise. One of my fellow diners a week ago said to me, there are recent restrooms at Deer Lakes Park. I'm an architect, and I designed them. And I oversaw their construction. She then gave me her business card, which is a photo of the restrooms at Deer Lakes.

How can you give a blank check to someone who lies so easily to you, to someone more interested in money than the park itself? How can you claim you do due diligence when you restrict and suppress your own access to independent scientific experts and professionals? A vote yes for the County Executive's proposal, especially since the council has not done its due diligence, is a vote providing a blank check to an unworthy elected official. It is a vote against the quality of life of the current and future families, children and residents of Allegheny County.

(Applause.)

PRESIDENT DEFAZIO: Gwen, followed by Lucas Lyons and Jessica McPherson.

MS. CHUTE: Hello.

PRESIDENT DEFAZIO: Hello.

MS. CHUTE: I'm Gwen Chute at 904 Valleyview Road in Mt. Lebanon. I speak for the over 5,000 members of The Allegheny Group, Sierra Club. And I'm a retired registered nurse who cares deeply about the health of our one and only planet and all living things residing here.

I stand before you this evening to ask for your no vote on the ordinance that will give the County Executive the go-ahead to drill under Deer Lakes Park. Let me remind you why. I worry about toxic air pollution from diesel truck traffic, off-gassing of waste-holding tanks, compressor stations and the possible flaring of wells. I worry about the degradation of ground and surface water, quality and quantity, lakes and streams in the park, as fracturing creates fissures that may lead to contamination and water loss.

I worry about declining property values for the residents of West Deer and damages to roads that will be paid for with their tax increases. I worry about liability that will be assumed by citizens as soon as this county government becomes the lessee in the contract with Range Resources. I worry about the health of vulnerable citizens, especially women and children who live, work and play near the areas to be fracked. Respiratory problems, especially asthma, neurological problems, skin rashes, interrupted sleep from constant noise and light and non-potable water for which compensation likely will be denied.

I worry about spills of chemically-laced water with salinity 80 times that of ocean water and toxic waste containing arsenic, strontium and radioactivity, spills that will degrade the environment and endanger wildlife. I worry about explosions, loss of life and destruction of property similar to the recent event in Greene County. Those of you who attended Councilwoman Means' informational meeting on May 1st now must understand why I worry about all of these things. I submit that those of you who relied on information from Rich Fitzgerald and Range Resources, have not even begun to do your due diligence, and you surely are liable, for if you vote yes, you abrogate your responsibilities as a trustee of the public land under the Pennsylvania Constitution, Article 1, Section 27.

You need not worry if you vote no on the ordinance before you. And one more thing. Over the past weeks, I have been offended by the disregard for the democratic process and rules of order demonstrated by certain members of this council. I will not name names, but all are of the same gender. And to borrow a phrase from Councilman Robinson, they don't look like me.

(Applause.)

PRESIDENT DEFAZIO: Lucas Lyons, followed by Jessica McPherson and Suzanne Staggenborg.

MR. LYONS: Do you want me?

PRESIDENT DEFAZIO: What's your name?

MR. LYONS: Lucas.

MS. MCPHERSON: Present, Jessica McPherson.

PRESIDENT DEFAZIO: No, you're after.

MS. MCPHERSON: Sorry.

MR. CATANESE: Jessica is next.

MR. LYONS: Lucas Lyons, 1902 Meadville Street. It's been a long, long --- almost a year now for me coming to meetings. We know where Mr. Ellenbogen stands. We know where Mr. Finnerty stands. We know where Mr. Futules stands. We know where John DeFazio stands. They got five votes. They have five votes right now. Okay? Who's going to stand up for us? Who's going to be the swing vote? Who's going to stand with those four men --- those five men. Excuse me --- excuse me; Mr. Macey, you, too. Sorry. I didn't mean to exclude you.

MR. MACEY: Thank you.

MR. LYONS: Five votes; they got five votes. Who are the three --- who are the three on this council that are going to sell out this group of people? Who are the three that are going to sell out 70 percent of Allegheny County residents, verified through three independent surveys, saying they do not want fracking and state game --- state parks, game lands and nature reserves? Okay? Who's going to sell us out? Who are going to be the three? Mr. Baker, I read your resume on my --- wow, I couldn't --- like, I couldn't even imagine writing a better resume for your work in the non-profit community. I do not know how you are going to ---. How can you possibly be voting to sell public land, a nonprofit entity, to a Texas energy company?

Your family has approached us and said they're working on you to get you to vote no. Okay?

(Applause.)

MR. LYONS: What's it going to take for you to vote no? Your constituents don't want it, your family doesn't want it and we don't want it. And where is the Range people today? You know, I hear, like, one or two claps in here. They're gone. They won't be here anymore. Let's see. Who else do we want? Mrs. Heidelbaugh, I very much appreciate your due diligence in the amendments you're introducing. Mr. Kress, you heard earlier, job

fairs. We can get you job fairs, zero jobs. Mr. Robinson wants to introduce an amendment to get some African-American jobs. I fully support that. Let's actually get some jobs for everyone, too. We can all win; okay? Mr. Kress, please vote no. You've been very responsive to your constituents, and I really respect that. Please vote no. Please stand with the people that vote no. Do not join the five men who have just --- it's like talking to a wall with them.

Dr. Martoni, my colleague, I'm a political scientist. You want to play politics; let's play politics. Okay? A vote --- how do I want to say this? If 70 percent of Allegheny County residents don't want this --- and it doesn't matter which side of the fence they're on, Republican or Democrat --- it is a win-win situation for any politician to vote no on fracking in our parks, but support fracking. You can get around this, like, position you're in by voting no on this and supporting fracking on your own time. Support it on private land. Do what Mr. Futules does, sell your land. Make some money, you know?

Oh, man, I have so much more to talk about. Mr. Palmiere, please vote no. Please vote no, I'm begging you. Mr. Baker, Ms. Heidelbaugh, Mr. Kress, Mr. Palmiere, please vote no.

(Applause.)

PRESIDENT DEFAZIO: All right. Jessica, followed by Suzanne Staggenborg, followed by Harvey Holtz.

MS. MCPHERSON: Hi, everyone. My name is Jessica McPherson, 4815 Kincaid Street. I spent all of my adult life in this region. I'm younger than most of you here. I wasn't here when the steel industry was in its heyday, when the coal industry --- when it was in its heyday. Through my job, I see the after-effects of these things every day. I'm an ecologist. I look after our landscape. I see what a couple centuries of extraction have done. And I bet every time they came through. I bet when the coal industry came through, they said no, don't worry, there won't be any orange streams; or if there will, it won't matter. They'll be okay, somehow, for the future, yet Pennsylvania now has more miles of abandoned mine drainage streams than any other state in the country, because we were the first to adopt it.

We went gung-ho for it without any checks, without anybody saying, hold on, guys, I don't like the

looks of this; you know? We still think that. Conventional gas came through. Do you know how many thousands of abandoned wells there are? The prime companies come through. They sell them to a lesser company; they sell them to a lesser company, who just goes bankrupt and goes away. That happens every time. You have all seen it. Why would you believe them now when they say this is going to be okay? I'm asking you, they have so much. They have so much locked up, so many leases already, so much of our countryside that they're --- we already see the effects of it, what they have left behind, what they may or may not be cleaning up. Who's asking; not the DEP. This is our county parks, our public land, our public resource. Not here, not now. Take a small stand for this one thing for the people to have as a resource for the future, as a place that does not look like those places where industry has been and has gone and has left us with the bill. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Suzanne, followed by Harvey Holtz.

MS. STAGGENBORG: My name is Suzanne Staggenborg. I'm a Professor of Sociology at the University of Pittsburgh. My research in sociology is on social movements, and for the past few years, I've been studying the local environmental movement. So I'd like to say a little bit about the people and the Protect Our Parks Group that have been testifying before the Allegheny County Council since last August. First, I want to note that this is not the type of dedication that happens every day. People don't ordinarily spend their time like this unless they care very deeply about a cause. And the issue of fracking in or under the county parks is one that people do care very deeply about.

The parks are seen as a public good that enhances our quality of life and should be preserved for future generations. The movement against fracking in the parks is, above all, a grassroots movement, in the sense that it involves ordinary people from all walks of life, who do not have a financial or political interest in the cause. They are residents of Allegheny County who want to maintain the parks as places to enjoy nature, rather than as sites of industrial activity. One of the things that I have been most impressed with in studying the local environmental movement, is the amount of expertise that

these ordinary citizens have accumulated about the shale gas drilling process and its impacts.

Many started out with no understanding of the health and environmental problems associated with fracking. But they read books, they attended lectures, they consulted experts and they talked to the people who have been affected by shale gas drilling in their communities. They have shared this expertise with you in their oral and written testimonies. The other thing that is impressive about this movement is its large base of support. Over 7,000 residents of Allegheny County signed petitions asking you not to lease the county parks. Over 45 organizations, including mainstream environmental organizations such as PennFuture, signed on to an open letter to County Council representatives asking you not to lease Deer Lakes Park. Based on their memberships, these groups probably represent at least 25,000 people. If we look at opinion polls, we see high levels of support for the movement, for over 70 percent of respondents to this Pittsburgh regional environmental survey oppose fracking in state parks and wildlife and nature reserves. The same survey showed that people in Pennsylvania and Allegheny County use the parks regularly, and they want them preserved as the common property of all the people, including generations to come. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Harvey? Harvey Holtz? Is Harvey here?

AUDIENCE MEMBER: Who?

MR. FUTULES: Harvey Holtz.

PRESIDENT DEFAZIO: Harvey Holtz. George Jucha, followed by Joshua Zorich.

MR. JUCHA: Good evening. My name is George Jucha, and I live at 203 Essex Knoll Drive, Moon Township, Pennsylvania, 15108. I'm going on 50 years as a proud resident to Allegheny County. I finished a year-and-a-half-long remodel of my house, which has now turned into a year and a half of now considering selling my property. Why? Well, I'm sad to say that. You know, I was proud when the City of Pittsburgh did the ban on hydraulic fracturing and people, say, gee, ---

(Applause.)

MR. JUCHA: --- they wouldn't hydraulically fracture in our city; would they? That's a picture of Fort Worth, Texas, where --- right next to a townhome

development, the water impoundment and the pad is 170 feet from the front door. Here, you can take a look. I told you about the abandoned and orphaned mines, 200,000-plus in the State of Pennsylvania, let alone the countless other issues. You guys know about the contamination stuff. I told you about Range's record, too. Do you think a \$23,500 fine at Cross Creek County Park, in Washington, Pennsylvania, was adequate? Here's the article that's substantiates, from the Pittsburgh Post-Gazette on May 4th. The contamination --- I used to sit there (phonetic). I don't. Christopher Seymour can explain that to you. Here, take a look at it.

MR. FUTULES: It's all yours.

MR. JUCHA: Yep. Pass it down. Tom, I'm asking you, too. You're my --- you're my guy here; and everybody else, every one of you. This isn't --- we look at this as money and jobs; right? There are no additional jobs that are going to be created with this lease. You look at this as hitting the lottery; I know. And I agree, hitting the lottery would be great. I'd love it, and I'd love it for the county, too. But Deer Lakes Park is not the only place we control. You guys have got tons of other properties. What this is about is the sale of the precedent of drilling in our parks and under it. Here; here's Texas. The wells are a quarter-mile apart; okay, Odessa, Texas, a quarter-mile apart, 2,856 wells. It's ridiculous. And to put industrial activity in our parks is ridiculous.

I teach at the University of Pittsburgh 13 years. I talk to my students. The young people think it's ridiculous. I've attended the Google Big Data Conferences here at the University of Pittsburgh. We have jobs and opportunities. I'm not against fracking, I'm against it in our parks. And establishing it, we need to preserve our parks. Your decision here on this issue is going to define your legacy, really, indefinitely. And I'm going to beg you --- really, I don't beg anybody --- but I'm going to beg each of you to say no. Protect our parks. You can drill wherever you want, where it's more appropriate, industrial areas. Please reconsider that and vote no to this. I appreciate it.

(Applause.)

PRESIDENT DEFAZIO: Joshua Zorich, followed by Kathleen Conlogue, followed by Dylan Weiss.

MR. ZORICH: Good evening. For the 15 of you that sit on that dais, as well as the other decision makers of the county, you only have really one question to answer. Is this the best you can do? With all of our problems, with all the ingenuity, with all the education, with all the collective talent on that stage, this is the best we got? If you can't answer honestly that question, something other than, I think we can come up with something else, maybe you guys should think of another line of work.

And believe me, actions, just as much as elections, have very, very real consequences. I'd actually like to say thank you to the gentleman who was here representing Senator Brewster, because he gave to me a thought tonight that I hadn't --- hadn't yet occurred to me. I believe his words were, this could bring to Pittsburgh what the coal and steel industry brought before. Now, since the mills in Homestead are still fired up and brewing, and since Pittsburgh is not consistently on the list of cities in the country with the worst air quality, and since we did not just spend 30 years getting out of the last rut, I'm sold. By the way, all of that wasn't true. I want to take a step back and --- look, the message gets framed. We need resource X to do function Y. We can raise taxes, or we can drill in the parks for royalties and fees.

I just feel the need to step back and say, a tax dollar is not the worst thing that has happened since the plague. Give me a budget that says, here's the improvements we want to the parks, how much it's going to cost. Give me the number of taxpayers in Allegheny County, and put that in the news. If I'm going to give you an extra \$20 a year in personal taxes, and that gets us to this, rather than drill in the parks, fine, let us make that decision.

(Applause.)

MR. ZORICH: I also feel the need to address something. A lot of people are correctly focusing on --- that the matter before you is an effort to drill specifically in the parks. And because of that issue, they talk about the due diligence. I've heard that phrase more times than I care to tonight. I'll say it right now; I don't really care about the due diligence. This is a bad idea. Whether you figure out a way to minimize harmful events doesn't mean that you should do the thing

that could cause harmful events. There is another option here, which is do not do it at all, ever. Figure out another way.

(Applause.)

MR. ZORICH: Again, if this is the best we can do, please rethink it. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Kathleen, followed by Dylan Weiss.

MS. CONLOGUE: Hello. Thank you for allowing me to speak this evening. My name is Kathleen Conlogue. I am a resident of Russellton, which is just right around the corner from Deer Lakes Park. And I am at the park every day with my dog, and it's an absolutely beautiful park, and I would like to just for the record say that there is no pollution in these lakes. The lakes are beautiful and people fish in them. And it's a beautiful park, and we're blessed to have it. Thank you for the work that you do to safeguard the welfare and the best interests of the people of Allegheny County. I know that it's sometimes difficult to see what those best interests are, but I believe that when it comes to fracking the ground beneath our beautiful public parklands --- in particular, Deer Lakes Park --- the best interests of the people are served by not fracking.

The risks to air quality and the very real possibility of water contamination are just too great. The abundance and the diversity of wildlife in Deer Lakes Park is a blessing that we ought to be able to pass on to our children and their children. The late Senator John Heinz fought for clean air and water. He said, I believe it's our responsibility to hand down to our children a legacy of clear streams, uncontaminated land and clean air. I couldn't agree more. We're being asked by Range Resources, whose mission as stated on their website is as follows: Range Resources seeks to consistently drive up production and reserves while maintaining one of the lowest cost structures in the industry, in order to increase shareholder value.

Basically, they do not care about us or the environment. That is not what they're about. Their goal is to drive up production while paying out as little as possible, in order to keep their investors happy. That is their stated goal. They're asking us to gamble with our precious natural resources for very meager financial gain.

There's an old proverb that says, in a bet, there is a fool and a thief. I believe Range Resources is betting that we will be the fool. It is foolhardy to gamble something so precious for so little. We teach our children to be strong, to avoid the addictive nature of drug use. We tell them to just say no.

We are addicted to the almighty dollar, and we cannot see what terrible havoc this addiction is wreaking upon our country, our people and our very souls. Addiction to anything takes away free will and our ability to make sound decisions. The oil companies know this addiction and they're seeking to exploit it. So I'm asking you, just say no. No, we're not going to sell out. We're not willing to take this gamble. We will not risk endangering our beautiful parklands and the wildlife and the people of this county who enjoy them. The risks are too great. Please vote no.

(Applause.)

PRESIDENT DEFAZIO: Dylan Weiss, followed by Margaret Schmidt.

MS. WEISS: I'm getting hot under the collar, but I'm still wearing it. I'm Dylan Weiss. I live at 1503 Grand Cypress Lane, in Presto, PA; and that's in Collier Township. And I really thank you all for listening and for judging very carefully. I really haven't had much of a chance to talk to my friend, Mr. Finnerty, but I hope he'll still listen. My hope is that each of you vote no. By doing so, you will send an important message to the gas well industry everywhere and, in particular, to Range Resources, who continues to bully and lie to the general public while coercing elected officials.

Don't mess with my government or your government; that is, the government of the people, by the people and for the people. If, on the other hand, Council foolishly allows itself to be manipulated by the slick posturing of a corrupt, powerful and greedy industry, in the end it is you, the people's representatives, who will be the losers. You will lose at the polls, you will lose elections and you will squander tax dollars in unnecessary lawsuits that we, the people, promise will go through the PA judicial system all the way to the Supreme Court, if necessary.

Lawsuits are expensive but affordable when we band together in class action efforts. How many times do

we, the people, need to utilize the balance of power built into the government of the land of the free and the home of the brave? May I remind you, as you've been reminded earlier this evening, of the recent PA Supreme Court decision regarding several controversial portions of Act 13 and, in particular, the attempt by the Commonwealth to remove the people's rights to local zoning. Recall that the court stated this was in violation of the Environmental Rights Amendments of the Pennsylvania Constitution, which guarantees --- and I won't say it and waste my time, because you've heard it over and over again; you know what it is by heart.

When I was a little girl, my parents told me it isn't polite to grab. People who were taught this golden rule will resent and even fight for what is right. Grabbing land is not right, be it under the guise of removing zoning rights or be it under the guise of grabbing via forced pulling. And so it is that last Friday holdout landowners in New Castle asked Commonwealth Court to declare that forcefully violates the state constitution. The operative word is forced. We, the people, refuse to be forced. We won't be forced to put our health and welfare at risk. We won't be forced to put our environment at risk. We won't be forced to continue contributing to global warming, which has led to the dangers of obvious climate change.

So if we, the people, resisted a no-zone land grant, and are prepared to resist a force pulling land grab, rest assured that we, the people, will also resist the literal, as well as the figurative, undermining of any of our parks, starting with --- right now with Deer Lake. So just think about it again and vote no.

(Applause.)

PRESIDENT DEFAZIO: Margaret? Margaret Schmidt, followed by Rachel Martin Golman.

MS. SCHMIDT: Margaret Schmidt, 609 Penn Avenue, Pittsburgh, PA, 15222. Good evening, Council President, Councilors. You have never heard from me before this meeting, because I didn't believe that this issue and the ordinance, drilling under the park to extract natural gas, would survive long enough to be voted on by the Council. First, this issue is one of exaggerated incongruities, specifically placing heavy polluting industry beside public park land. At a minimum, creating these kinds of property neighbors is an ideal case study on why zoning is

so important in community development. And to the people and the representatives that founded these parks for public use and enjoyment, it does not preserve their legacy when the current stewards of this land leads to an industry that will pollute air, water and land.

Second, it appears that in response to the RFP submitted by Huntley and Huntley and Range Resources, the company certified by their signatures that there was no conflict of interest according to the county's definition, which is in the second paragraph of Section 1.13 of the RFP. Quote, by signing their proposal, the proposer certifies and represents to the county that the proposer has not offered, conferred or agreed to confer any pecuniary benefit or other thing of value for the receipt of special treatment, advantaged information, recipient's decision, opinion, recommendation and vote, or any other exercise of discretion concerning the RFP, end quote.

Public records and news articles have documented financial transactions in relationships that have what appears to be a direct bearing on the conflict of interest in this process. For these reasons, I fully expected this issue and the ordinance to be rejected by the council. But since we're still here, I'd like to say this. Any industry that came to this town with the offer of good-paying jobs and a nice signing bonus, would be welcomed by the workforce and the companies that support and benefit from it. But natural gas is not progress. And as a fossil fuel, it's not the future, it's the past.

In our recent past, how many of us have either worked or had relatives who worked in the mills and mines? Yes, they took the jobs that were available to them, but no one wanted to live near their work or grow their families here. They did it because they couldn't afford anything else. And where did they go when they could, to the parks. In regard to our distant past, the earth has natural barriers that protect us and the earth's living surface from fossil fuels, what one writer calls the alchemy of inert fossilized death. The Marcellus layer is approximately 400 million years old.

Bringing natural gas to the surface is bringing up poison from the past, where any leak along its industrial journey pollutes our air, land and water. County Council, the County Executive has claimed in this room that there is nothing you can do to stop fracking

under Deer Lakes Park. I disagree. Please vote no to this ordinance and protect our parks. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Rachel, followed by Angela Corvello and Steve Mazza --- oh, Steve already spoke. Go ahead.

MS. GOLMAN: Hi. My name is Rachel Martin Golman, and I reside at 4212 Saline Street, in Pittsburgh. And today, I'm urging you to vote no to the proposal to frack under Deer Lakes Park. Frankly, I'm pretty appalled that our county officials would even consider drilling under our county parks. When I first heard of this proposal, I was --- I was floored. I love this region, I truly do, and I choose to live here because it's --- because of things like the parks that make it desirable. And the idea that our elected leaders would endanger such an important place just flies in the face of everything that --- that I have come to really appreciate about this area and its people. Similar to the gentleman who spoke earlier, when I talk to friends, family and colleagues across the country about this proposal, just mention to them that there's this proposal to drill under our county parks, categorically, similarly, they are floored and mortified at this. It's hard for people outside this region to even comprehend why, why would we even consider such a thing?

We've come a really long way, and Pittsburgh has earned a hard-earned reputation for being a new region with cutting-edge ideas, green initiatives and a great quality of life. And this proposal is completely contrary to this and only brings us backwards. If you, as our county leaders, are really serious about attracting the new businesses of the future and keeping young people here and drawing younger people here, people like me, opening our parks to drilling sends completely the wrong message, that we value old, dirty fossil fuel extraction over clean air, high quality green spaces and a forward-thinking community. It matters little whether the drill pads are allowed within the park boundaries or that adjacent drilling will happen anyway. The fact is, that using our parks for drilling under the parks will no doubt, no doubt --- lead to more drill pads, more dangerous fracking, more air and water pollution.

Sure, the county will get some money, but at what cost? Drilling will damage the region's brand and

will likely lead to decreased property values for the surrounding area. People will lose use of the park as adjacent drilling pads will effectively shrink the enjoyable acreage of the park. And park users and nearby residents will suffer the effects of the drilling, including diminished air quality and noise. Again, our parks are a key amenity that helps make this region great. Please help keep this region great and vote against this proposal. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Angela Corvello, followed by --- Steve Mazza spoke. Is he still here? He spoke. Okay --- followed by Bill Yorkshire. Go ahead.

MS. CORVELLO: Hi. My name is Angela Corvello. I'm a resident of Monroeville, Pennsylvania, and I am here on behalf of VisitPittsburgh. We're a sales and marketing organization charged with bringing both leisure travelers and meetings and conventions to Pittsburgh. If we aggregate the amount of direct spending dollars from 2009, when the first Marcellus Shale conference took place here, through 2013, we are looking at over \$39 million in direct spending from energy and Marcellus Shale-related meetings. We are booking energy conferences out as far as 2018. Also worth noting, other technical meetings and conventions have affected --- that are affected by the energy sector that are meeting in Pittsburgh, have seen an increase in attendance thanks to Marcellus Shale professionals.

Attendance doubled at the American Institute of Chemical Engineers, held here in 2012. We have come to understand the power of the new natural gas industry and what it means to this region's economy. These conferences are just illustrations of what it can bring to a region. Thank you.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: Bill? Bill Yorkshire, followed by Claudia Kirkpatrick.

MR. YORKSHIRE: Good evening. My name is Bill Yorkshire. I reside in Plum Borough. I'm a lifelong resident of Allegheny County. As one of the directors at Wagman Observatory, located at Deer Lakes Park, I've had an opportunity to speak on behalf of the proposed off-site gas drilling under Deer Lakes Park at previous public hearings. And notice, it's off-site, it's not in the

park. Wagman Observatory is a result of a partnership with Allegheny County spanning more than three decades. Over that three decades, we've had over 58,000 people come to enjoy the eagle skies and many an aspiring young observer come up there to look through the telescopes for the very first time.

The proposal submitted has addressed all our concerns. We've recently had drilling there off-site. As a matter of fact, one of our directors discovered a supernova, a very distant and faint object. As far as lake pollution is concerned, that's not an impact for us. Also, this is really --- what's in place there has really kind of ensured our ongoing operation of Wagman Observatory. We support the proposal. We feel it's in the best interest of the county. And this is also --- we feel it's a model for other municipalities and counties throughout the Commonwealth to adopt. In closing, I'd just like to be really short. I'd urge you to vote in favor of this, and thank you for your time.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Claudia, followed by Barb Grover and Tymitz Dixie.

MS. KIRKPATRICK: So I'll try not to be repetitive. What's going to happen is that there are going to be heavy trucks and equipment on the roads around and probably in the park. There's going to be a lot of noise, a high level of very bright lighting, 24/7. This noise is going --- and lighting is going to affect not only the wildlife but the people who would like to use the park. Per today's Post-Gazette, there is likely to be a significant increase in traffic accidents, particularly deadly traffic accidents, in the immediate area.

Likewise, it will not take more than a tiny error in the pipes to poison the lakes, including the fish. Thus, Allegheny County residents will certainly lose for the short run and potentially for a very long run, the irreplaceable opportunities they know and --- they and their children now and their grandchildren in the future have or gain to have --- to gain the understanding and solace that this park has up to now provided.

If Allegheny County Council votes to lease to Range Resources a contract to drill next to Deer Lakes County Park and run its piping under the parks, members of the council will be failing to preserve public natural resources that are the common property of all the people,

including generations yet to come. I live at --- I'm Claudia Kirkpatrick. I live at 3763 Orpwood Street, in Pittsburgh, and Mr. Robinson is my representative. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Barb Grover, followed by Tymitz Dixie and Alan Hart.

MS. GROVER: My name is Barbara Grover. I live at 5526 Wilkins Avenue, Pittsburgh, 15217. Tonight you will cast the vote that is the most important one any of you have made thus far as County Council members. You must vote no to the ordinance allowing fracking under Deer Lakes Park if you are to uphold your sworn oath to protect the citizens' right to clean air, clean water and protecting the national areas of the environment. The health of the Allegheny County citizens, especially those who live, work and play in and near Deer Lakes Park, is at risk. Three years ago, Governor Corbett's Marcellus Shale Advisory Commission recommended that a health registry be created to track people who live near fracking operations because of the reports of people getting sick shortly after fracking began near their homes. Governor Corbett has done nothing to create such a registry. New York and Maryland, however, have started to do just that. Their governors have refused to allow fracking until the studies are complete.

In Texas, a jury recently ordered a driller to pay \$3 million to a Texas family who said they'd been sickened by fracking. I cannot imagine any of you wishing to risk the health of Allegheny County citizens by voting yes. In the past weeks, you have heard those in favor of fracking argue that jobs will be created. That's a general jobs for the industry as a whole, but you heard the vice president of Range Resources say there would be no new jobs for this project. You also heard that drilling would occur anyway.

Councilwoman Heidelbaugh questioned that assumption. The response from the Range Resources representative was difficult to say. You saw the drawings of the wells to be drilled, three going away from the park and a minimum of five under the park. Drilling under the park will increase profits greatly. Range surely wants you to believe that drilling is safe, the flow back water is just salt water, no methane will escape and they don't need to do seismic testing.

When those promises turn out to be false, who will be liable? An amendment to the ordinance excluded Huntley and Huntley from any liability, since Range Resources subcontracts all the work. Are they also exempt from liability? Will each of you be personally liable for suits brought by residents for drops in property value, damage to homes, water quality, health impacts? And speaking of seismic testing, Dr. John Stolz indicated Deer Lakes Park is seriously threatened by the drilling because it is undermined and contamination from mine drainage under the ground could be a hazard. Seismic testing should be done, but it is prohibited because that would require going on park lands. But without that testing, it is unclear how safe this drilling will be. We have a Catch-22. The dangers are too great.

PRESIDENT DEFAZIO: You have to wrap it up.

MS. GROVER: You must vote no.

PRESIDENT DEFAZIO: Okay. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Followed by Alan Hart after you.

MS. TYMITZ: Dixie Tymitz, 4735 Wallingford Street, in Pittsburgh, 15213. Jobs; I have a beloved brother-in-law who is a fracker. And at one time when we were visiting, I voiced my concerns about this, and he said, it's fine if you do it right. I thought, well --- some of the gentleman at the beginning talked about the fact that we need money. We do need money. We always need money, especially if it has not been handled right in the past. Our state leaders have let gas companies drill nearly 7,000 wells, while letting drillers off the hook for contaminating our water and polluting our air. What's their plan now --- to let industry drill more wells, thousands of more wells.

Somebody said, well, if we don't take it as a county, then it will be taken to the private sector. Yes, that's true. But right now we are talking about our county and our responsibility. Families, wildlife, farm animals and crops have been affected by drilling, by the noise. And I don't know which gentleman said that he drives by a fracking place and it's just fine, but I have heard the noise. I have heard the noise after truck, after truck, after truck. If you thought the noise out here was something to begin with, that is a 50th of what you would hear. And lights on all the time. Private

sector, would you want to live by that? And they can't sell out.

I don't want more Pennsylvanians sick from the effects of fracking. Eventually, fossil fuel will be used up. If we continue to invest millions of dollars to support fossil fuels, we will never stop using them until they are gone. And I can't imagine our world without power. So I guess that's about all I have to say, because I've forgotten my question. What happens next? If you love this country as much as all of these people for and against seem to love it, I pray you will make the right decision. Thank you.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: Alan Hart, followed by Stan Luczak.

MR. HART: My name is Alan Hart. I live in the Stanton Heights neighborhood of the City of Pittsburgh. I'm a homeowner, taxpayer and voter in Allegheny County. Thanks for allowing me three minutes to speak. If I was the executive of a fracking company, you'd give me all the time in the world. I work for a labor union. I work for United Electrical Workers, also known as UE, at our national office in Gateway Center. I'm the managing editor of our national newspaper and our website. I've been an activist in the labor movement for 40 years, starting when I was hired at General Electric, in Erie, in 1973.

I'm here speaking for myself, not for my union. My union has not taken a position on fracking. But we are on record in support of jobs, as well as for leaving a habitable planet to our children and grandchildren. And my union has long been politically independent. We do not belong to any politician or political party. We never have, we never will. And our position is that politicians work for us; we don't work for you. I'm not a member of Protect our Parks or Marcellus protests. I have not been involved in the fracking issue before tonight. But what's happening here tonight is too important for me to sit it out.

The ordinance you are going to vote on is disgraceful. The genesis of this ordinance is disgraceful. It started in 2011, when a candidate for county executive, Rich Fitzgerald, blatantly pimped himself to the fracking industry. I've read that e-mail,

and it's one of the most craven statements of political corruption I've ever seen. And I was an adult during Watergate. The ordinance before you is not a lease agreement, it's a blank check to the frackers and to a man we know is owned by the frackers. To claim that this resolution is the result of due diligence is an insult not only to the people of Allegheny County, but to the English language. It's not due diligence, it's gross negligence; maybe, criminal negligence.

This council refused to hear from experts who are critical of the fracking industry and the environmental damage it has caused and will cause. You only wanted to hear from the frackers and their advocates. The head of Range Resources told this council that fracking would produce zero jobs at Deer Lake Park, and yet there are people that are still hopeful that a percentage of those jobs will be union jobs. The workers of Allegheny County will get nothing out of fracking our county parks, which are supposed to be havens of nature for us all to enjoy. Unions will get nothing out of fracking our parks, although some union leaders seem to think they'll gain some advantage by kissing political backsides. If this resolution passes, this will be a vote that many members of this council will soon hope that everyone forgets, but we will not forget.

And there are people in this room and in this county who are much younger than me, who will not forget, who will remember the names of people that have voted for this. When the next fracking disaster occurs in a county park or in this region, and it surely will, a lot of people will remember your names and how you voted tonight. By the time all the negative consequences of fracking are known ---

PRESIDENT DEFAZIO: Okay. Wrap it up in one second.

MR. HART: --- the fracking industry will be gone. The frackers will have left the state. But you will still be here, whether you're still in politics. And the young people of today --- because it's going to be 20 or 30 years in the future --- will remember this and they'll come to ask you, why did you do this? Was it worth the 30 pieces of silver to sell out our people and our environment?

(Applause.)

MR. LUCZAK: Good evening. Some of the points that were made were --- stole some of my finer earlier, but I'm going to still go on with this and then add on to some things that I have. Sometimes going forward we need to look at our history. For many years, this area was heavily dependent on the steel industry and related industries around it. In the late '60s and '70s, when I was going out into the workforce, we lost most of the steel industry. This was a devastating blow to Allegheny County and to many communities. Forty-five (45) years later, many of these communities are still trying to recover. The lesson here, sometimes we have to diversify the workforce. Right now our workforce is mostly professional and service.

Who knows what's going to happen with the professional industry? Heinz --- what's going on with Heinz? US Air; we continue to lose jobs. The Marcellus industry has helped and will help diversification. It's given our local people a chance to remain in the area and bring in more people. The economic impact is endless for the workforce earning good wages. They will spend those wages locally. The Marcellus industry is up and running. Whether or not you as a group have a foresight to cash in remains to be seen. I applaud those who looked and continue to look for alternative revenues to keep Allegheny County viable without raising taxes. Please support the recovery of our access --- assets under Deer Lake Park and the good it will do in our community.

And just --- some of the folks that may have forgotten, some of them that haven't been here, I have a suggestion. As far as maintaining the parks, why as a group don't we go back to the greenery? Take out the bike pass. Forget about cutting the grass. Take everything out of there. That way we have no more expenses. People forget --- a long time ago when my son was little, when I lost him in the grass, because they didn't cut the grass at North Park for six or eight weeks.

(President DeFazio raps gavel.)

MR. LUCZAK: That's the way it is. The memories are long --- the memories are forgotten. Those in the professional industry --- look at the city right now. We're still under Act 47. The county is struggling. You have to keep looking. Whether you vote for this or not, please keep looking for alternative methods without raising taxes. I, myself --- several years ago, I had to

move my mother out of her home because she no longer could afford her taxes. Now, I'm in the same boat. I'm eight months from retirement, and I certainly can't afford more taxes as I plan my retirement on a fixed income. Thank you for your attention.

PRESIDENT DEFAZIO: Thank you. Next --- Rommie Hawkins isn't here --- followed by Jack Shea and Ken and Chris Gulick.

MR. SHEA: Good evening. I'm Jack Shea. Everybody probably knows --- you guys know --- I'm President of Allegheny County Labor Council. That represents about 90,000 workers. You know, I've been sitting here since the very beginning. I heard about safety on the jobs. Well, that's what the unions are about. We've been about that from day one. I'm going to repeat some things I said the last time I was here. No industry is without risk. When we went into the steel industry, when we went into the mining industry, environmentally, it was not clean. And safety, by God, let a lot to be desired. When we went in --- when the unions went in, safety got better. The environment got better. That's what happens when you have an industry and you have somebody on the other side of the table to speak for that industry, in terms of the workers. Now, I heard it thrown around here, it ain't going to bring --- create one job in Allegheny County. I submit to you that people that, hopefully, will give the cracker plant in Beaver ---.

(Outbursts from audience.)

MR. SHEA: Let me tell you something. You can moan.

(President DeFazio raps gavel.)

MR. SHEA: I didn't moan when you were up ---. I did not moan when people were up here ridiculing almost everybody up here. I think I have it down. I'm keeping track. I apologize for that, because quite honestly, you represent a --- you don't work for us. Anyhow, that cracker plant --- the people are looking how the pulse of this community ---. This is a new industry. This industry is going to create jobs. All of us heard about all we see is license plates of Texas and Oklahoma. I'll submit to you, there are several thousand people working every day, union members. They're providing for their family and educating their children.

So this industry is new. We're going to jump on board on the ground floor. And I ask you for your vote because --- look, we all talk about jobs all the time. We need more jobs. No matter what we talk about, we need more jobs. Well, I submit to you, we have an opportunity tonight to vote for more jobs, and I ask you to please vote yes. And I thank you for everything you're doing. I know youins get a high pay for this. Oh, youins are all laughing now; right? But you certainly don't get paid anywhere near enough for the hell you got tonight. And I apologize for people giving you that hell. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Everybody speaks. And when other people are speaking, you can't be interrupting making wise remarks. When you're up here, they let you speak. Let's treat everybody fair. We have two more speakers, and we're going to take a break and change the paper for about five or six minutes, whatever. So we have two more speakers and then we'll take that short break; Ken Gulick, followed by Chris Gulick.

MR. GULICK: Members of Council, thank you for letting me speak again tonight. I think everybody knows my wife and I, Chris. We own the farm that borders Deer Lakes Park that is the proposed site for the pad that's going to go underneath the park. I want to talk a little bit about our place. It means the world to us. It means everything. I can't put it any other way. We feel --- a big decision to do this. It's something we thought about, talked to a lot of people. And we've come to the conclusion that we feel it's very safe. Our place is already surrounded on three sides by other Marcellus pads.

We have eight shallow wells. Right now they're all producing, four on this farm, four on our home farm a mile away. Again, our oldest shallow well is 70 years old, hydraulic fractured. We have well water. Our cattle pasture right up to the wells. It's been completely compatible for everything that we've done, everything we want out of the place. And quite honestly, it's made our life just a little bit easier. And I don't think we have to apologize for anyone about that. That's ridiculous. Talk about jobs. I work in manufacturing. I'm an engineer. I go into a lot of machine shops. I get the same questions over and over again. We can't find skilled people, you know, we don't have enough people --- enough young people to go into our journeyman's program.

Admittedly, these jobs aren't directly related to industry, but a lot of the companies I go into have spend a tremendous amount of money upgrading facilities, buying new machines, hiring new people when they can find them, to serve as the energy sector. For people to say there hasn't been a manufacturing renaissance in Pennsylvania is unbelievable. I see it every single day. Every shop that I know is running 100 percent. And a lot of that --- it's not all energy, but a good part of it is. I want to talk about a yes vote real quick. Obviously, my wife and I voted yes to this already. We hope you'll do the same. The people --- everyone has seen the map with Range, the yellow swath around the park. Those are yes votes.

Frazer isn't a wealthy community, I can assure you. The monies that this would bring mean a whole lot to a lot of those people, a lot of those little yellow boxes. I don't know what else to say. I think we've kind of exhausted everything. But in closing, I'd like to ask for the vote, and I think it's a great deal for the county. Thank you.

PRESIDENT DEFAZIO: Thank you. Chris?

(Applause.)

MRS. GULICK: Good evening. Thanks, Council, for allowing us to speak to you again. I'm Chris Gulick. I'm Ken's wife, as he stated. We're from Frazer Township. The farm that is the proposed site for the fracking is right next to the park. We understand that. But we made this --- we bought this farm ten years ago; you know, we've owned this a long time. We've planned this to be our retirement, so yeah, we do not want contamination. We do not want our well water ruined. You know, we use this water for our cattle; you know, we had goats, we have chickens.

We actually raise replacement heifers, which are the pregnant cows, to feed our cousin's dairy farm. He has not seen any issues with the calves being born. There's no double-headed calves. There's no stillborns. There's none of that involved. They're pasturing right up to shallow wells every day. Every day they're out there grazing next to this. You know, this piece of property is our retirement. We intend to, like, raise beef cattle and just go off into the sunset and farm. That's what we want to do, okay. As my husband said, he's an engineer. I'm a chemist.

I go into work every day testing people's drinking water from Marcellus Shale. Before, after, we were not seeing huge contamination. We are not seeing --- no, we are not seeing it. Our lab has expanded bought equipment, hired people. You know, there's jobs. They're good-paying jobs. You know, these are chemistry positions. These aren't, you know, McDonald's positions. These people have health benefits. They have a 401K. You know, they're very happy with the experience and the job skills they're learning at our facilities.

Other labs in the area that we compete with can't even find people to hire. They're running short on people because shale drilling has demanded so much testing. You know, DEP is in our building regulating us. I know labs that have had certifications pulled because DEP has walked in and found problems. Yes, it happens, but they are on it, let me tell you. They are getting fined. These companies are getting fined big money. They're having their certifications pulled. They can't do the testing anymore. They're taking this very seriously. DEP is not just goofing around and saying, oh, willy-nilly, go ahead, do whatever you want. They're very serious in our building. I just wanted to say, you know, this is very important to us and it's very important to the residents on our street. So thank you very much.

PRESIDENT DEFAZIO: Thanks a lot. Okay. We'll now take a short five, six-minute break

(Short break taken.)

PRESIDENT DEFAZIO: We're going to start with Mitchell Small, followed by Michael Ventrone and James Avondolio.

MR. SMALL: Okay?

PRESIDENT DEFAZIO: Yeah. Go ahead.

MR. SMALL: Yes. My name is Mitchell Small. I live in Pittsburgh, 15217. I'm a professor. I teach at Carnegie Mellon University under the Departments of Civil and Environmental Engineering and Engineering and Public Policy. I'm also currently serving as the Chair of the U.S. National Academy of Sciences Committee on Risk Management and Governance Issues in Shale Gas Development. The principal activities of this shale gas risk committee have been to organize two workshops --- they were in 2013 --- looking at the risks and the way that we manage and regulate the risks from shale gas. If you have a

handout here, item one lists some of the ways that were disseminated in the results.

There will be an upcoming journal publication which will have 14 papers published by leading scientists in the world, in the area of shale gas. Both members of our committee were invited attendees at the workshop. The first workshop was on risk. There the focus of the presentation of the papers were on operational risk, mishaps, accidents, water quantity and quality impacts, air quality, global climate implications, ecological impacts, human health effects and community socioeconomic impacts of the type that were discussed earlier.

Our major findings from the committee were that the majority of these risk areas still exhibit critical knowledge gaps, with current knowledge insufficient to either confirm or preclude important impacts. So there's still a lot that we don't know. The second pertinent finding was that scientifically and statistically sound baseline, that is, pre-drilling monitoring, is necessary to know if environmental quality and population exposure are subsequently affected. If you don't know what's there now, you can't know if it's been affected. Let me go on to the risk governance workshop and its key findings. The first one was that voluntary certification with independent third-party verification, such as that offered by the Pittsburgh-based Center for Sustainable Shale Gas Development, provides a first strong step for operators who demonstrate commitments to higher levels of safety, environmental performance and community participation.

So we can certainly look for that as a strong statement. And secondly, we're very supportive of what has been proposed in Maryland as comprehensive gas development plans that enable coordinated planning and accountability. They specify before being permitted the locations of all planned well pads, roads, pipelines and supporting facilities over a period of five years, and they include comprehensive requirements for background and ongoing monitoring of public disclosure.

PRESIDENT DEFAZIO: Thank you. Michael Ventrone?

(Applause.)

MR. VENTRONE: Hi, Council. I'm Michael Ventrone. I'm with the Boilermakers Local 154. I am an Allegheny County resident all my life, 298 Kenmont Avenue, 15216. This is going to bring good jobs to our area. I

don't know, you know, where they're getting their information. This is going to bring great jobs, good-paying jobs. It's going to be good for the county. It's going to bring money to the county. They're going to put \$2 or \$3 million in a park fund for all our parks, which --- our parks need it. They're falling apart. It's going to bring \$4.7 million to the county itself. You guys have to vote yes on this bill.

This is going to go through, whether you vote yes or no. Range is going to go through with this project, no matter what.

(Outbursts from audience.)

PRESIDENT DEFAZIO: All right. Wait. Whoa, whoa, whoa. Let him speak. You know, when you people speak, no one ---.

MR. VENTRONE: I didn't say a word when anyone else spoke. The project is going to move forward. Vote yes for jobs, and I appreciate your vote. Thank you.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: James Avondolio, followed by Anne Avondolio.

MR. AVONDOLIO: Hey, how you doing? My wife couldn't make it, so I'm representing her. This is the first time I've ever been in something like this, so I'm a little bit nervous before all of you, just to be honest. I want to share a picture of my kids. I have three kids, ranging from four and a half, two and a half and a nine-month old. I'm concerned about their well-being. That's why I'm here, you know. I'd rather be home putting them to bed, but I'm here because I feel it's important. I understand jobs. I understand it's a lot. You have to make a really tough decision going on here. And I respect everything you guys do, but I want you to think about --- I want you to think about people that aren't here and the people who can't be here, the children, you know.

And that's what I'm concerned about. They're the future. You guys talk about the future being natural gas. Yeah, I get that, but let's do it the right way. You know, let's look at it, not push through something. It feels like things are getting pushed, and I don't envy your position right now; I don't. I know you guys have a hard --- hard --- you got people pushing on both ends; you know, creating jobs, creating money to come into the county. And as far as swing sets being fixed and stuff

that has to be done at the parks, I'd be more than happy to donate time to help with that.

I'm a carpenter. I'll help out any way I can, as long as we're not going underneath the park and doing something that I don't really understand. I don't think any of you fully understand it; so like when we're going down this avenue, I want to make sure that we're --- we're looking at it and not just listening to the experts. You know, let's look at the human part of it. What has happened in the past, you know; and you know, the past can determine the future. That's kind of where I'm at right now. I really appreciate you guys listening to me, and I'm representing my wife. We're voters, and that's about it, you know. I'm going to put the vote on the person who's going to vote no against this. But thank you very much for your time.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Okay. Next we'll have Jim Mitnick, followed by Michael Hillebrand, followed by Cora Hopkins.

MR. MITNICK: So Jim Mitnick next?

PRESIDENT DEFAZIO: Yeah.

MR. MITNICK: Okay. Good evening. My name is Jim Mitnick, and I'm a resident of Allegheny County. And I'm a past chairman of Phipps Conservatory and Botanical Garden. As I'm sure you know, that's a remarkable asset to our community. I'm currently chairman of the Allegheny County Parks Foundation. And as you know, the role of the Parks Foundation is to work at developing projects that improve the parks throughout our entire region. Last month we had our annual board meeting, and we discussed this issue at length. And we developed a resolution that I'd like to read to you all at this point.

WHEREAS, the county is the owner of the Deer Lakes Park; whereas, it is the county's desire to enter into a lease agreement related to the extraction of natural gas from Marcellus Shale formation under Deer Lakes Park; and

WHEREAS, the revenue generated from the extraction of natural gas from the Marcellus Shale formation under Deer Lakes Park is expected to be used to improve the county park system.

It is therefore resolved that the Allegheny County Parks Foundation supports the pending lease agreement between Allegheny County and the Range

Resources, that will allow for the extraction of natural gas from Marcellus Shale formation under the Deer Lakes Park, using wells that will be drilled on private property adjacent to the park. This project provides the county with an opportunity to secure much needed funding for upgrading and maintaining our extensive county park system.

The drilling activity will be conducted by an experienced and respected company and must comply with all federal, state, county and environmental requirements. In addition, the county has negotiated an extensive set of lease provisions to further ensure that all drilling activities will be conducted in a manner that is protective of the environment, as well as the welfare of the local residents. This is unanimously approved by the Parks Foundation Board on April 22nd, 2014. And I would strongly recommend that if you do, indeed, vote positively for this resolution, that the money be utilized solely for the improvement of the county parks or the benefit of the residents of our community. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Michael, followed by Cora Hopkins and Mel Packer.

MS. HOPKINS: I'm here.

PRESIDENT DEFAZIO: Michael's up next.

MR. HILLEBRAND: Hi, County Council. I'm Mike Hillebrand of Huntley and Huntley out of Monroeville, PA. I also own a property in Frazer Township, about a couple hundred acres. I want to thank you all for an incredible debate. I think it's historic to Allegheny County. I want to thank the crowd also for it. This is what a democracy is about, to hear everything about what's being proposed. I wanted to bring to the table that Huntley is very old. We've been here 102 years. I am from Pennsylvania. All my employees are from Pennsylvania. I hunt, fish. I ride the bikes; I use our parks. The last thing in the world I would want to have happen is any kind of diminishment to our public properties. Being in the know as a petroleum engineer of what goes on with all of this, I am very intimately familiar with the procedures and the things that we do within our completion practices. And as such, you know, it may surprise many that I, too, would want to protect our parks. I very much want to protect our parks.

I do not want to have drilling on Deer Lakes Park. I do not want to make it an industrial wasteland. And what's in front of you is a proposal from tracts that we're going to drill anyhow, that will go out underneath the parks to bring some benefit to the community. That's our viewpoint. There's others that you're hearing obviously. I think it would be a travesty to have this sit as a wasted resource, an island, as the drilling goes past it and not have at least have this debate. And the debate is about over. The conversation is about to go to vote. And I want you all to know that from a professional that's in this industry, the last thing I want is for this to go down in a bad way where it's going to be ---. Range is a phenomenal operator.

If we were in the same position of picking who would we want to develop our properties with, vetted the same process, went through it all and came up with Range Resources. I have nine kids. They all grew up in this community. I want every one of them to be here. In fact, my oldest one just graduated from college and is getting to stay here rather than other offers he had from around the country, because of the Marcellus industry here. I can tell you from facts that I own property in Frazer Township, Its value has gone up tenfold since 2006, when I bought it. I drink the water under Beaver Run reservoir where multiple lakes were drilled by CNX underneath it to my community. They were all fracked underneath the reservoir. I mixed the chemicals for two and a half years. I have nine kids. I'm healthy; they're beautiful. These are first-hand exposure to the things that a lot of people are concerned for the cost --- and understandably so. I am asking you all, from those who understand this --- and it's a very difficult decision to go through. It's a very big process, but else this island of resource will be wasted for the community for an economic gain, at a cost that many people legitimately should be concerned about.

When you get into the know and you live with things that I have lived, you will find out that this is a yes vote. I ask that you all vote yes. Thank you.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: Cora, followed by Mel Packer and Carrie White.

MS. HOPKINS: Hello. Thank you all for coming. Thank you for hearing us. My name is Cora Hopkins. I live in Indiana Township, very close to Little Deer Creek Park --- Deer Lakes Park. And I have well water. I do not have access to municipal water. It's not available to me. There's not a line in front of me and also houses near me. I have lived on my property for over 20 years. I rent. I have a duplex, so I regularly test my well water. After the well went in up at Pittsburgh Mills Mall, which was supposed to be experimental, but it turned out it was very rich, so they --- they fracked and flamed. You all know the story.

My well water was compromised. I could feel it. My neighbor could feel it. My renter could feel it. So I contacted the township. They said contact DEP. I contacted DEP. They contacted Range Resources. Both came out to test my water. Both found that my water was higher in total dissolved solids and in bromides than it had been in my testing for the past --- I think it went back ten years. DEP said it was --- this is most commonly found from deep well drilling, because they go, you know, a mile deep into the earth. It's not like a shallow well. It's a very different process. The people who spoke about their farm, my heart goes out to them because they think it's the same process. It's not. So Range Resources and DEP sent me my test and the letters. Range Resources told me that it was because of the old water softening tank that I had on my property. I never, ever had a water softening tank. There is none there. The other thing I would like to say is I never saw bears in my back yard. I've had three. Sears, at Pittsburgh Mills Mall, caught a bear. These bears, when I called the county commissioner people, they said, oh, they're being driven out of Franklin. And they come three counties, a bear's territory can be up to three counties --- because of the deep welling going on there.

The other thing I want to say is, the worst pollution --- this is a scientific fact --- with the wells is air pollution. And benzene is a known carcinogenic, and all deep fracked wells release benzene. And we're not in compliance with clean air regulations for benzene at this time. The last thing is, Fitzgerald's own research team has come up with the fact that ---.

PRESIDENT DEFAZIO: Can you wrap it up in a sentence or two real quick?

MS. HOPKINS: Yeah. That the mineral rights under the county parks do not belong to the county. So I'm asking for democracy, not communism. And I don't want to be bullied or have you bullied into voting for something, because otherwise, it's going to happen all around you anyway. That's not democracy. Thank you.

(Applause.)

PRESIDENT DEFAZIO: After Mel Packer, we have Carrie White and Mark Machi.

MR. PACKER: Mel Packer, City of Pittsburgh, Allegheny County. First, let's clear the air about jobs. We've been told that if we don't let Range-Huntley drill a few lines under Deer Lakes Park, industry will move out, never hold another convention and thousands of jobs will be lost. Get a grip on reality. We're not talking about banning fracking. We're simply saying no to fracking under a very tiny park which doesn't have big-money campaign donors living around it. Two weeks ago, Range Resources VP John Applegath stood before this Parks Committee and was asked this question by a council member: how many jobs will be created if we frack under Deer Lakes Park? He said, none, zero, none, because we'll be drilling on adjacent private property anyway, so no more workers are needed. Astoundingly, someone from Council then asked how many of those jobs will be union jobs and how many of those jobs will be local jobs? And he said Range subcontracts all of our drilling. Therefore, we have no control over it. We don't know and we do not have any control on whether any of that will be union or local. And frankly, they don't care. So what do we get here? A Range VP admits to zero jobs, yet we --- some of us still argue that we're going to create jobs. I don't get it. Second, I've given you some recent newspaper articles to look at before you vote. Now that we've publicly given you more evidence of the negative effects of fracking in our communities, this council will not be able to claim in court when sued by a resident, that you did not know the risks.

And believe me, if Council signs on to leasing county property, then Allegheny County will be listed as defendants and any damage, too, as you now assume similar responsibility to the frackers by aiding the process, a potentially heavy burden that could far outweigh the monetary gains promised by Fitzgerald and his handlers. Finally, the real problem here is a lack of social,

community and moral vision. Where our county can go, where it's been, how it can become a place of growth that attracts young, creative and involved wage earners and their employers. One of you said you might vote for the proposal out of loyalty to the democratic machine. What? What about loyalty to our children?

What about loyalty to the residents you took an oath to protect and represent? What kind of moral value is this? How do you explain that to your grandkids? And some of you, for reasons now discarded by almost every player in the world, think we can re-industrialize Allegheny County, that our future lies in trying to bring back the old days when iron and steel ruled. One speaker even said fracking is the second coming of steel on steroids. Obviously, that person has never set foot in a steel mill, not the ones I hauled steel out of for many years over 12 states. Get over it. The world is a different place. Allegheny County is a different place, a different time, different economy, different population. That's the facts, whether you like it or not. If we want to move the county forward, build a county that our kids want to stay in, live in, buy homes in.

We recognize that change has come, and we do what we can to project a vision of growth and of a clean environment, but it means we have to look to the future, not the past. Look at our grandkids, not our grandparents. Envision a world they might be able to live in, to enjoy, to feel safe in, to invest in, a world in which our grandkids can crawl up on our laps some day and say, what did you do when those people came to destroy our environment? And we can say, I did my best to stop them, sweetheart, and hope the record shows that.

(Applause.)

PRESIDENT DEFAZIO: Carrie? Carrie White? Carrie White? Not here? Mark Machi, followed by Lee Kontis.

MR. MACHI: Good evening, everybody. My name is Mark Machi. I'm with the Labors Union. I live on 307 Shady Lane, in Indiana Township. I'd like to talk to you tonight about the vote here on the drilling at Deer Lakes Park. I'm a union member, been one all my life. Union jobs are good jobs. For this area, it will be good. It's a better thing than raising taxes when they fix the parks. Our parks are in decent shape. They could be better. And we'd like to see you pass this resolution here today and

then get this --- get this job rolling. Mr. President, can I take an unofficial vote here? Everyone here who is for the drilling say --- raise your hand.

PRESIDENT DEFAZIO: Hey, Mark. Beg your pardon.

(A small number of hands are raised.)

MR. MACHI: Okay. Now, who is for raising taxes? Who is for raising taxes; raise your hand.

(A large number of hands are raised.)

MR. MACHI: Everybody wants to raise taxes. Well, it's up to you, Council. You see what's going on here. (Microphone distorts speaker's voice). Further away? Okay. What else can I say? It's up to you good council members who we elected to look this over, review everything and hope everything works out for the well. And thank you very much, everybody.

PRESIDENT DEFAZIO: Okay. Thank you. Lee Kontis, followed by Ed Dolby.

MR. KONTIS: Good evening, Council members, everybody that's here. It looks like there's more people with green scarves on than there are people that seem like you should vote for this bill. I'm one of the individuals that highly encourages you to vote in favor of this bill. My name is Lee Kontis. I live in Bethel Park, but I work in Saxonburg, which is very close to where these wells are going to be drilled, whether you vote for or against this bill. I've been a member of the Laborers' District Council of Western Pennsylvania for almost 40 years now. I'm presently an instructor at the Labor's training center in Saxonburg. It makes a difference to the students that I try to instruct how to be construction workers or laborers in this day and age. The advantages of this type of work going on and all the benefits it means to many, many people who are in the labor union, who can get good-paying jobs and a lot of work out of this type of operation, not only the process --- maybe not so much of drilling the wells, but the pipeline work to connect the wells into the system, to get the gas to the proposed cracker plant, which means more jobs.

It's my understanding that in just the last year, pipeline contractors contributed over 600,000 man hours' worth of contributions to our district council, Laborers' District Council of Western Pennsylvania, to help secure pensions and medical benefits for the over 15,000 members that are in the Laborers' District Council of Western Pennsylvania. It's also my understanding that

if you don't pass this bill, that this work is going to go on. So it would be a travesty if we were to lose the benefits that would be a result of passing in favor of this bill. So all I can do is strongly recommend and endorse you to vote in favor of this bill, so that we can get everything we can out of this business that's going to happen whether we want it or not. Thank you very much.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: Ed Dolby? Ed, next followed by Joy Sabl.

MR. DOLBY: Thank you. My name is Ed Dolby, 611 Fifth Street, Verona, PA. I lived in Allegheny County all my life. I'm here in support of the Range Resource lease. First of all, the drilling is not in the park, it's under the park. The cosmetics of the park are not going to be changed at all. The county has the opportunity to make \$4.7 million upfront, \$3 million for park improvements, which Range Resource is not doing anything that's hurting these parks, so they're basically giving \$3 million so we can fix up what's been run down over the years. And they're going to get 18 percent --- the county will get 18 percent of the --- excuse me --- royalties.

This could yield in excess of \$51 million for this county. It will create family-sustaining jobs, bolster local economies, and it will do that without raising any taxes. Now, I see that most people in here want their tax raised, but if we were here voting on that, they'd probably be opposed to that. I have heard people tonight mention about the pollution and the chemicals that are produced and in the air. Go stand on Grant Street for an hour and see what you inhale out there. Natural gas is a clean energy source, and it's an alternative, you know, to gasoline. And it would be a lot cleaner than what we're breathing out there now. They've also mentioned well site accidents.

I mean, everybody --- well, just about everybody drives cars, flies in planes. People take cruises. If you've been looking at the news in the last couple months --- I mean, I think you get my point. Is there anything that's 100-percent safe? I mean, tell me what's 100-percent safe. You're always going to have accidents; I mean, that's why they're called accidents.

(Audience member laughs.)

MR. DOLBY: Yeah, that's funny. Somebody got a chuckle out of it. But you know, this is new to this area, this drilling, but this is going on in other parts of the country for years. And these companies, Range and the other ones, they've developed technologies. They've made it safe for every day. And you know, in closing, I'm just going to say that in my opinion, it's a no-brainer. I mean, \$51 million or more for the county without raising taxes. I mean, I'm in favor of that. So I ask that you vote yes on this, and I thank you for your vote.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: Joy, followed by Wanda Guthrie.

MS. SABL: Joy Sabl, 7008 Willard Street, Pittsburgh, 15208. After the space shuttle Challenger blew up, they got physicist Robert Feynman --- Richard Feynman, to look into what had caused the Challenger disaster. And what they found was very interesting. There was a technical problem, but there was a much bigger perception problem. The technical problem was that an O-ring in the cold was bulging and became brittle. The much bigger perception problem was that all of the NASA technicians --- and these are not stupid people, had seen this problem repeatedly and nothing had gone wrong, so they had re-defined it as acceptable. If they hadn't moved the goal posts, that disaster would never have happened. When I was here before you a few months ago, we were talking about whether there could ever be cracked well casings. So in December, an analysis of Loyalsock State Forest drilling, which was done under heightened levels of oversight because it was a state forest, found that 59 percent of the wells had never been inspected. At least 2 out of the 86 wells that were inspected had leaking casings, despite all of these layers of extra safety.

This is your bulging O-ring moment. They're trying to move the goal posts on you and say, well, accidents happen. Some level of leaking is okay, and there's some percentage that we can accept. And you know, my kids are fine. Everybody else's kids will be fine, too. That's the same thinking that got NASA into trouble with the space shuttle. Please don't fall for it. Thank you very much.

(Applause.)

PRESIDENT DEFAZIO: Wanda, followed by Joe Smith and Kristine Kirk.

MS. GUTHRIE: Hi. My name is Wanda Guthrie. I live at 5815 Hays Street, 15206. I'm here to speak about the ethical decision you're making tonight. In fact, I think everybody has been talking about the ethical decisions that you will make tonight. Despite all the facts, you're still entertaining the lease agreement when to allow this to occur anywhere in Allegheny County, you must ignore a ton of evidence. Methane is still a powerful greenhouse gas that cumulatively is worse after than coal. Despite the fact that we know compressor stations leak methane, as do pipelines, despite explosions and areas destroyed to get the pipelines in, despite the evidence that well construction has not consistently been done well, despite the fact that the chances are pretty high that the toxic water produced is very likely to come up with non-dissolvable or radioactive solids, despite so much uncertainty, you will still vote this evening.

Despite the fact that 1 of every 20 wells begins to leak right away, and the concrete used will be --- will last at best 100 years, despite knowing that 4 million gallons of water are being sacrificed for each well and that this toxic water can never be returned to the ecosystem, despite the fact that you really don't know if significant harms will be caused by fracking, you're still considering voting to accept a contract to frack beneath this park and perhaps others. I just have to say, I don't understand how there could ever be a cost benefit analysis. The evidence presented, the social, environmental, human health, far outweighs the economic benefits over potential harms. If you thought about all these issues and yet have not included and considered well the harm to the environment and the people, then you're simply cooking the books. Are you really willing to take that chance? Are you really willing to defy the Constitution of Pennsylvania? The bottom line is that we know and you know that you really don't know. There's a high degree of lying because of the greed. And shame on this industry.

There should be responsibility for speaking untruths. The toll this industry takes on biosystems and human communities is unethical. Don't help them. There is no reason you should be here voting on whether to accept a leasing contract. There's every reason that you

should be asking for an Allegheny County moratorium, at the very least. You can still turn this around. You can still insist on national standards. You can still insist on long-term plans. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Joe Smith, followed by Kristine Kirk.

MR. SMITH: As a councilman with a councilman's responsibility, in looking at all of these anti-fracking activists I see, I wonder if they can understand what it's like to be me. I have to make sure the government gets some fast tax money. If I don't, I have to run against those financed by the national gas industry, who don't see me as an enemy. Who has the power to pay to keep this receipt (phonetic) to allow me to say, so someone will vote to allow them to drill anyway when I'm about voted away. But I can make a choice like Edward Snowden and act on the knowledge that I'm knowing and stop the contamination from flowing, to reach for --- and have to compromise to reach for an out-of-reach prize. Can these activists empathize? But I wonder, can I? Do I understand? Have I watched Gasland?

The market is not a surprise. Consumers don't feel that it's an external cause when people near wells get sick and die. I wish that I had the authority to allow the community to arrange itself to share its needs more and not allow institutions to take and give only what's paid for. Would they not drill if there was no safe way not to make people ill from pollution, like institutions, good will. They can choose to drill for profit, and that makes them not want to stop it. Am I an independent person or a part of the faceless institution? Am I giving up my choice to an institution's market versus pollution? Everyone can make any choice they choose. They just have to think of what they are going to lose. Is it independence that people gain from jobs from them or the long-term water and air pollution? The same trade off, industrial work and --- industrial work, trading away free life and free work. It's deeper than this issue, they'd like to drill. The institution is causing this pollution. Drillers, environmentalists and councilmen, they are all the same. They are humans with a different judging false institution ---. They should not be judged but loved and allowed to be ---.

We wouldn't be drilling if they would --- we would share more of each other's life and life energy and not see each other as a competitive enemy. All these anti-fracking activists I see, maybe they can understand what it's like to be me. There is a lonely fisherman --- okay. Thanks.

(Applause.)

PRESIDENT DEFAZIO: Kristine Kirk? Kristine Kirk? Okay. We'll go on to Jules Lobel --- is Jules here --- followed by Jennifer Petrus.

MR. LOBEL: Jules Lobel. I'm a Point Breeze resident and a professor at the University of Pittsburgh Law School. I think today you're not just voting on a specific lease but on a precedent, as we say in the law. The people's --- the county parks, like the city parks and state parks, are the heritage of the people and are to be used for the people's enjoyment, not for commercial enterprises.

(Applause.)

MR. LOBEL: And if you vote on this lease today, or whenever you're going to vote on it, you will be creating a precedent that we can use the parks for industrial purpose; for mining, for drilling, for all these other things. But people say it's just minor; it's just minor. They're going to just drill underneath it. Well, every time they do drilling in a park, it's just minor. The next example, whenever it comes, next year or three years from now, it will also just be minor. I don't live near Deer Lakes, but I do live near Laurel Ridge State Park. I have a little cabin in Laurel Ridge State Park. And they're doing plenty of drilling and they're planning to do drilling in Laurel State Park. And it's just minor. It's not going to affect anybody. The hikers, they can just ignore it. And it's the same argument over and over again. Don't set that precedent by setting that precedent. It's a loaded gun to be used over and over again. Second, when I speak on this issue, what I'm astounded by is how there's been no serious scientific study of the real dangers and risks of fracking.

Every day we read in the newspaper of another danger which has just come to light, whether it's road accidents in Texas, earthquakes in Ohio or water pollution in many communities around the country. They say, well, don't worry. We've got it under control. The history of the United States is littered with examples of new

technology, new products, which they told us not to worry about and which turned out to cause thousands of deaths and thousands of injuries. Smoking is just one of them. When tobacco came out, everybody said, don't worry. And I'm sure that people like the gentleman a few persons before me who said, you know, I'm fine. I've smoked for 30 years; I'm fine.

Look back. What are we going to do? What are we going to say 100 years from now? Will you be able to tell the next generation that you did something to protect the environment, or will you screw up the environment?

(Applause.)

PRESIDENT DEFAZIO: Jennifer, followed by Thomas Hudzema --- Hudzema (changes pronunciation.).

MS. PETRUS: Hi. My name is Jennifer Petrus, and I live in the City of Pittsburgh. I'm a homeowner and taxpayer in Allegheny County, 1225 Richmond Street, 15218. When I was here last November, I think, I saw the County Executive address this group. And he said --- this was back when we were talking about the possibility of a moratorium. He said we didn't need that. We should just get the lease passed for Deer Lakes Park. We might as well get some money because fracking is here to stay. It's all around us. There's nothing we can do about it.

That's what our elected official said, there's nothing we can do about it. That's really not what we want to hear from our elected officials.

(Applause.)

MS. PETRUS: We want to hear that we do have power and that we can make choices in our own region, and that the people who represent us will be there to make the choices that we want to move our region forward and not to roll over for whatever these multi-national energy companies want. And when somebody says there's nothing we can do about it, I hear, I have no vision, no leadership and no ideas. And that's not what we want. We want vision and leadership. And of course, he's wrong. There is something we can do about it.

All around us there are cities, counties, states and entire countries that are completely banning fracking. Those people decided that it's not safe. The gas isn't going anywhere. Maybe, in the future there will be a safe way to get it out. But right now, the costs to the health and the environment do not outweigh the mean. Of course, there is money. Some people make money. Some businesses

will be making money. They are filling hotel rooms, and so on and so forth. But it doesn't outweigh the costs. And I don't need to go into the details of the cost, because you've been provided over the past six months with stacks of testimony from experts in fields of geology and physicians, and so on and so forth, that have provided you hard scientific evidence of the risks.

And what we need now is people with vision to bring innovation and real leadership to take us into the future, to find us jobs and find us ways of raising money and not put our health and our environment at risk, because we need to breathe that air. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thomas Hudzema? Thomas Hudzema? Kenneth Weir, followed by Loretta Weir.

MR. WEIR: Kenneth Weir, Lincoln Place, 31st Ward. An amazing thing that came to my mind when I heard Rich Fitzgerald called Range Resources to drill in the park. I said, what? He called them to solicit drilling in the park. I have to ask the council a question. If I have something in my hand that you want, right, what are you negotiating? The terms are mine. You can't get it, if I don't want to give it to you; right? I mean, that's simple. If I have a rental lease of property, my tenant doesn't come to me and say, well, here's my terms. I said, what? What are you negotiating? Did you get enough money? Did you get enough jobs? Mr. Robinson was worried about the jobs. He didn't get what he wanted. Did we get enough money for the parks, since that's everything we're talking about, is money? Did we get enough? I think we should have got \$10,000 an acre and 25 percent royalties off the top, not net. Did you read the lease? Another point about negotiations; I had a discussion with Jay Costa, our Democratic senator. He said, you know, I sit on that Energy Committee in the Senate, and we went in there and there was three Republicans and two Democrats. And everything we said to them, they said no. And I said, and you were negotiating? What were you negotiating?

They're telling you no. There is no negotiations. How is it that Rich Fitzgerald negotiated a deal without this council? Why didn't we get \$10,000 an acre, if it's about the money; why not 25 percent? Did anybody read --- my glasses. Excuse me a minute.

(Speaker locates glasses.)

MR. WEIR: Section 403; okay? I said, well, there's got to be a smoking gun here. I think I found it in Section 403, because as you know from reading the commercials --- listening to commercials and watching TV, the Democratic candidates for governor propose a severance tax, not an impact fee. There's a big difference. An impact fee is not a tax. The bottom line in Section 403 says, the Lessee, Range, also made that from oil, royalty and gas royalty payments. The Lessors, Allegheny County taxpayers, prorated share of any tax imposed by the government body.

Now, I'm not an attorney, but I happen to think that that tells me that if the Democrats are elected governor, that ten percent --- between five and ten percent is coming off the top. So your 18 percent --- what are you going to take, 18 percent of a dollar, or do you want 18 percent of \$20? And for that reason alone, this lease needs to be tossed out, and let's start all over again with the council doing its job in negotiating the lease. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Loretta, followed by Jason McCullough and Chris Zurawsky. Go ahead.

MRS. WEIR: Loretta Weir, 4544 Homeridge Drive, Pittsburgh, 31st Ward. I'm wondering who the county is. We're talking about the county as though it's this desk here. I thought we were the county. Okay. I'm just a little bit confused. Emotions run high when you're in the fight for your life. So some of you get real sensitive and you don't want to hear from us, but it's your job. I'll gladly take that job. I will gladly take that seat that so many of you are so willing to pop out of and run out that back door. I would love to make a decision to save the health and welfare of all of my constituents if I had the opportunity. That would be my legacy. Okay. The Halliburton loophole, okay, I don't care about their money. I don't care about Rich Fitzgerald's handlers. I really don't, guys, the couple of you that are here tonight. The Halliburton loophole, okay, no clean water protection, no clean air protection, we've been over this, so superfund law. The Oil and Gas Act that protected these idiots. The politicians accepting money to ensure corporations that they have their way with our communities. They silence the constituents. They've ignored the cries of water contamination and illnesses

directly as a result of this industry, okay, and their contaminants.

Then we have enter Act 13 intended to take away our zoning rights that protected our communities and prevented an overreach of our state government. This was your constitution, for God's sake. We all --- everybody is afraid of communism, oh, them damn communists. Who's the communists here? Okay. I'm not trying to take any rights from anyone. My God, you people are smarter than I am or I used to think you were. But you know what, I found out differently. I feel really good about myself, thank you for that. Until this was successfully struck down by the PA Supreme Court as unconstitutional, this is what our Governor was trying to do, he struck a deal with the devil, okay. We have wells that were permitted 500 feet or closer from homes, schools, hospitals, daycares and water bodies, okay. The most egregious exception of this Act 13 has yet to be argued and that's the medical community is silenced if someone is exposed to this chemical cocktail used by this industry.

Is this a democracy? We don't live in a democracy. Go get the Confessions of an Economic Hitman and find out what they did in Ecuador and all these other places. Over here in the U.S. we just gave these farmers a couple bucks, okay. I just want to play words with friends because I'm running out of time. Here's some of the gems I heard tonight. There's a gentleman here who's hand mixing chemicals and he's fine after 30 years. We got people here whose cows are hugging gas wells. All right. I saw the ghost of Henry Clay Frick recall the beginnings of the steel mill and God knows, there were no problems there. After it was clearly established that there were no jobs we got them coming up to the podium talking about jobs. And then the answer to chemical contamination, you guys should go stand out on Grant Street.

PRESIDENT DEFAZIO: Jason?

MR. MCCULLOUGH: My name is Jason McCullough from Point Breeze. I think inside me I have the same rage as these last two speakers but certainly not the same oratory skills. So I hope you'll be listening to my words because I can't inflect that well. But I am here against the leasing, and in fact, against fracking in general. But I'm mostly here to try to stand up for my rights and not subsidize this industry any longer. I'm here to

inform you once again that if you do lease this public land, I will be sending Allegheny County an invoice once drilling begins. If you fail to pay this bill and any collection fees that might add up in that, I'll simply deduct the amount from my real estate tax bill each year and every year forever and I'll encourage thousands of others to do likewise. Just try to balance the budget 15 years from now. You've heard the facts about why fracking costs us more than provides us in benefits. You've heard of the health issues facing humans and animals that live near fracking operations. You've heard about lingering rashes, nosebleeds, respiratory trauma in oil patch communities which are mostly rural, undeveloped and lacking in political influence and economic prospects. We don't fit that category in Allegheny County.

We have other economic options, but every one of those other options fracking does put in jeopardy. I personally have tried to recruit people into this industry. I'm not a recruiter but I run a division of a company here. We write software. I have had at least 12 people over the last couple of years tell me one of the reasons they would not accept a position in Pittsburgh is the air pollution in the region. We might very much pride ourselves on not being the smoky city we were once before, but it's easy to look up community by community pollution across the country and we're pretty bad. Fracking certainly makes it worse and it will make it worse and worse. People aren't moving here, the engineers, the medical professionals, the people that our economy is built on right now, we are losing jobs right now due to fracking, those type of jobs. I do believe that I was very vocal a year ago about all the Texas plates and so forth. I do believe that's still the case. I do know that a lot of strong blue collar jobs are out in the fracking industry but we're losing a lot of white collar jobs, industries that would invest here, because of the fracking.

You know, and by design right now, I mean secrecy shrouds this whole fracking process. It's casting a shadow that extends over citizens' rights, gag orders, secrecy rights and stuff. However, such institutions that specialize in risk have started to connect the dots. Nationwide Mutual Insurance which sells agricultural insurance recently announced it would not cover damages related to fracking. Rabobank, the world's largest

agricultural bank, no longer sells mortgages to farmers with gas leases. They said we're out. There are chefs, particularly in New York City that have chosen not to buy from any farm in the Marcellus region. They will not take their food from our entire region. They just don't believe it will be safe. So the farmers are moving out and prices are going up. Thank you.

PRESIDENT DEFAZIO: Thanks. Chris Zurawsky followed by Ken Zapinski.

MR. ZURAWSKY: I'm Chris Zurawsky. I live at 5541 Darlington Road in Pittsburgh. Zurawsky, Z-U-R-A-W-S-K-Y. Thank you, first of all. Thanks to everybody on Council for the hours you've devoted to hearing from the public and the experts on fracking. I know it takes a lot of dedication. Thank you. Although I live in the city I'm here to tell you just a little bit about my personal connection to Deer Lakes Park and the area around it and to highlight two issues, land values and safety. This Sunday my mom, Susan Standish Zurawsky, she'll be traveling from Whitehall to Transfiguration Cemetery to put flowers at her parents and grandparents' graves. The cemetery is completely within Deer Lakes Park, I don't know if any of you have seen it. It's on a high slope on the western edge of the park. There are about 200 people buried there. My mom and dad go out twice a year, Mother's Day and on my grandmother's birthday and they take care of the graves there. My mom grew up in Russellton right down the road from Deer Lakes right across from number one coal mine. Transfiguration Church is where my parents were married, it's where I was baptized. When my mom was about 12, my grandfather bought 25 acres about a mile up the hill from Russellton. He built a big house up there, he moved the family up there and he did some farming up there.

Now, fast forward about 60 years. My grandmother died in 2002 and my mom got the house. And the house had been subdivided into three rental units. My parents, Larry Zurawsky, you know him, from Whitehall, they traveled out there all the time taking care of the property, keeping the apartments rented. They were approached four or five times by drillers trying to get the rights to the --- the drilling rights, notably Huntley and Huntley. My parents quite rightly and quite intelligently held out. They didn't take the deals or the offers. They were worried that the gas lease on the

property might make it hard to sell. 2011, they managed to sell it. The new owner is still renting the apartments. He's revived an apple orchard there. From what I understand, about a dozen people around Deer Lakes Park are going to benefit from this contract that you're considering with their drilling rights.

But what about all the other people like my parents who decided against selling the rights, people against fracking who live in the area, people that didn't get an offer. As a previous speaker just mentioned, across the country the banks are rethinking their lending policies. They're not giving loans for houses. It was just two years ago this month that that Washington County couple was in the news because they were the first Western Pennsylvania homeowners to not get a mortgage because they lived across the street from a drilling rig. Finally, the safety issue. You've seen today's Pittsburgh Post Gazette. The headline says it all. Fracking makes traffic deadlier, more trucks don't clog the region's roads. I don't want my parents driving out there to the cemetery fighting all those trucks. That's it. Thank you very much.

PRESIDENT DEFAZIO: After him will be Peter Gilmore and Brandon Mendoza.

MR. ZAPINSKI: Thank you for this opportunity this evening. My name is Ken Zapinski and I'm senior vice president of Energy and Infrastructure for the Allegheny Conference on Community Development. Safe and affordable energy is necessary to help drive sustainable prosperity and quality of life, issues that the Allegheny Conference has been working on in the Pittsburgh region for 70 years. This region enjoys a competitive advantage in a wide range of energy areas. The natural resources of coal and natural gas, best in class nuclear power, engineering and manufacturing, innovation and manufacturing in solar and wind energy components, expertise in smart grid and electric transmission, and intelligent and green smart building technologies and materials that help reduce energy consumption. We believe that entire portfolio of energy assets will be necessary to address the energy needs of the United States and the world in the 21st Century.

The ability to extract gas in an environmentally responsible manner from the Marcellus shale and other unconventional shale formations around the country has

helped the U.S. economy by keeping our energy prices low, by reducing our reliance on foreign energy suppliers and by driving new manufacturing opportunities. Natural gas is a versatile commodity. It has long been used by industry as both a fuel and raw material for plastics and other products. Increasingly it has been used to generate electricity and it can be used to replace gasoline and diesel fuel to power cars, buses, locomotives and tow boats at our rivers. The proposed lease to drill under Deer Lake Park could serve as a model for other public bodies, counties, townships, school boards, as they make decisions about drilling.

The arrangement would leave the park land undisturbed, but it would provide a significant revenue stream to the county for improving Deer Lake and funding other county needs. And through the lease, the county can establish additional environmental protections beyond those in state and county regulations as well as set operating parameters that minimize the disruption for residents in the area. Thank you.

PRESIDENT DEFAZIO: Okay. Next up, Peter Gilmore, then Brandon Mendoza. Go ahead, speak.

MR. GILMORE: Good evening, members of the Council. My name is Peter Gilmore. I come with no particular expertise, my credentials are these. I live, work, vote and pay taxes in Allegheny County as a resident of the City of Pittsburgh. Clearly there will be financial benefits to Allegheny County if the lease is approved. On the other hand, it is also clear that there are potential risks. Were that not so, the county executive would not be touting more stringent protections as a benefit of a lease. The hazards are there, and they're real. And we are talking about a public park, for heaven's sakes. So if there is a --- if one of those potential hazards becomes real, we are talking about condemning, blasting the legacy of our children and grandchildren. I'm here to say tonight that any degradation of the air, any degradation of the soil, any degradation of the water will far outweigh any financial benefits that will accrue to the county because of passage of the lease. I urge you not to pass the lease.

PRESIDENT DEFAZIO: Thank you, Peter. Brandon Mendoza. After him will be David Bertenthal.

MR. MENDOZA: Good evening. My name is Brandon Mendoza. I work with the Greater Pittsburgh Chamber of

Commerce. And I'd just like to say that shale gas drilling has already demonstrated its potential to be an enormous public benefit to our region. It has already fueled economic activity and has already attracted large amounts of investment into our region. At the same time, communities have had to adapt to this new industry, especially when a company has wished to drill on or under public land such as school districts or public parks obviously in this case. Obviously, managed appropriately, this represents an opportunity for local government to gain revenue, you know, without having to raise taxes. More importantly, it gives our public officials a voice in an activity that is likely to happen regardless of this decision, so this gives you guys a voice in the drilling activity.

By working with the drilling company, Allegheny County has negotiated operating parameters that minimize disruption to the local neighborhood. And they're also sensitive to the local conditions on the ground. That is the approach that we are supporting. That is the approach that the county executive is taking with this proposal. The well pads will be located outside of the park so that there won't be any disruption of the public area. The deal will raise millions of dollars in new revenue for the county and release millions of dollars more in improvements to our parks. And it will require the company to take extra steps to ensure that drilling activity is sensitive to the local community.

To cite a few examples, the contract will require lights on the jobsite to be shielded so that they don't disrupt the observatory in the park, it will limit truck traffic on local school routes, and it will require more intensive water monitoring than required by the state. These provisions are only in place because of the county's willingness to permit. The Deer Lakes proposal demonstrates it is possible to develop our region's shale gas resources in an environmentally sensitive way. Given this, we are in support.

PRESIDENT DEFAZIO: David? After David is Karen Bernard.

MR. BERTENTHAL: Hello. I'm David Bertenthal.

PRESIDENT DEFAZIO: Next is Karen Bernard and Elissa Weiss after that. Okay.

MR. BERTENTHAL: My name is David Bertenthal and I live in Pittsburgh, 15217. I'm here because I care

about the land. I care about the drinking water. I care about the environment. I care about the wildlife and my fellow PA citizens that live around these areas. I've done some research on what fracking is. And they drill into the earth. They fracture the earth using chemicals under high pressure that fractures the shale that releases the natural gas. Looking into some of the chemicals that they use to --- that they inject into the earth, you come up with an astounding list. Petroleum distillate, boric acid, ethanol, naphthalene --- I would use that when I would get paint on my hands to get it off --- methanol, hydrochloric acid, they're all materials that are used to extract the gas for various reasons.

I in the list saw a material that was radioactive but I didn't want to add that to my list for fear of sensationalism. But again here, the headline reads, radioactive water found in fracking pond. And what do they say about that? It's only as bad as --- it's only as bad as an x-ray that you get at your doctor's office. Well, what is the first thing they do when you get an x-ray at the dentist? They put a lead shield on you and the doctor leaves the room. You know, everybody has a bottle of water in front of them, maybe a Coke here and there. But what if that water said Deer Lakes Park? Would you drink it? I don't know if I would. So and then I hear people talk about the money to fix up the parks. So we have the money, we fix up the parks but now we have beautiful toxic parks. So in conclusion, it's the responsibility of the Council to represent the concerns of constituents like me and others. They shouldn't just accept that fracking is inevitable and nothing can be done.

PRESIDENT DEFAZIO: Thank you. Karen Bernard followed by Elissa Weiss.

DR. WEISS: Karen is not going to be speaking tonight.

PRESIDENT DEFAZIO: You're Elissa?

DR. WEISS: Elissa (corrects pronunciation). My name is Doctor Elissa Weiss, internal medicine, physician. I reside at 134 Dennis Drive, Glenshaw, PA, 15116. Once again, thank you for your diligent attention to public comment on the issue of fracking on, under or near county parks which bears directly on the greater issue of fracking anywhere. As Mr. Ellenbogen insightfully observed at the April 8th meeting, our priority focus

should be the chief concern of most commenters who spoke on this proposal the health of the people and preservation of the safety of the essentials of our environment that we require to survive. As Bernard Goldstein, M.D., 1983 EPA head of research and development, toxicologist, emeritus deemed professor of Pitt Graduate School of Public Health described at the League of Women Voters in Pennsylvania, shale drilling and public health, day of discovery, November of last year, there is obfuscation in the communication of shale gas health risks and we must look carefully at what we're being told. I'll repeat. There is obfuscation in the communication of shale gas health risks, Mr. Kress, and we must look carefully at what we're being told. To obfuscate is to render obscure, unclear, unintelligible.

Several salient concerns should remain in the forefront as we consider this issue. It isn't just brine and there isn't no (sic) benzene involved in hydraulic fracturing. Benzene is a byproduct of multiple diesel uses in natural gas production and we heard at Sue Means' meeting that it has been found to be 10 to 30 times the minimum risk level at some hydrafracturing drill sites. There are several hundred chemicals that have been used in hydraulic fracturing in Pennsylvania according to the DEP, and you'll notice those on the list that we've distributed. These are the additives on potentially thousands of gallons per frac episode. Some are salts, potassium chloride, sodium chloride. Do you feel more comfortable knowing that it's only 1,2,4 or 1,3,5-trimethylbenzene or diethylbenzine or ethanol or kerosene or formaldehyde or toluene, methalene or xylene or any number of unspecified aromatic including benzene hydrocarbons or ketones that might be used. Do you feel comfortable knowing that between 30 and 50 percent of these may, in addition to the numerous similarly toxic hydrocarbons and gases, plus brine components and radioactive and biological materials recruited from the shale deposits during fracturing return to the surface in a large volume of flowback fluid and be concentrated further in the reuse process. Affordable commercially available tests do not exist for many of these.

Why has this industry been exempted from numerous health protected laws such as the Safe Drinking Water Act and the Clean Air Act and sought to gag physicians who treat patients exposed to these processes?

Why was the documented peer-reviewed literature evidence of surface and groundwater contamination as a result of modern natural gas operations and air pollution risks absent from Range's presentation and the Environment and Health Parks Committee meeting. Researchers have estimated from available DEP and industry data that at least 13 percent of all oil and gas wells drilled since 2009 will leak with effective isolation, if that is even possible, costing hundreds of thousands of dollars. Why are there no epidemiologic studies? No one has been looking. Two recent studies demonstrated an increased risk of non-cancerous and cancerous illness in residents living a half mile within active wells, an increased risk of congenital heart disease in association with higher proximity and density of wells.

PRESIDENT DEFAZIO: You're going to have to wrap it up in a sentence or two.

DR. WEISS: Okay. I would urge you not to advocate your responsibility to perform due diligence by voting to surrender your rights to review and decide on these critical issues. I urge you to fulfill your responsibilities to sustaining our environment defined by the Pennsylvania Constitution. And finally I urge you to first do no harm.

PRESIDENT DEFAZIO: Kim? Are you Kim?

MS. EICHENLAUB: I am. Kim Eichenlaub from Gibsonia in Richland Township. Good evening. By the time it's over, I hope it's a very good evening for Allegheny County. I've stood here a few times before. I asked how you would reconcile drilling under county parks with the objectives of the county sustainability program which include identifying opportunities to deliver functional services with less impact on the environment, and leading the region in sustainability. There is no way to reconcile those objectives with an activity that produces excessive levels of benzene, methane and radon and ruins our water supplies. I spoke about water every time I stood here, water quantity and water quality. Whether drilling takes place on the parks or beside the parks, it still uses millions of gallons of water, takes them out of the cycle, you know, groundwater, precipitation, evaporation, precipitation, back to groundwater. We don't have that water any more. And that water supports life.

Fracking inevitably contributes to our shortages. A yes vote tonight would be the quintessential

opposite of sustainability. I spoke about the Duke University study, of fracking's effects on Pittsburgh drinking water quality as measured over a two-year period downstream from our water treatment plants. I read you a statement by Avner Vengosh, one of Duke's earth scientists on the project. I'm going to read it again. He said, even if today you completely stop disposal of the fracking wastewater, you'd still end up with a place that the U.S. would consider a radioactive waste site. A yes vote is not what you need to be doing about that. I certainly hope you vote no and then I hope you turn your attention to sustainable, renewable energy initiatives for Allegheny County. There will never be a better time.

And you have all this support of these grateful citizens. Wouldn't it be refreshing to focus on how to install a safe and beneficial solar array instead of how to deal with radioactive water and dangerous air pollution? I would enjoy coming here for discussions about the feasibility and financing of a solar parking lot or even a solar farm, maybe on the remaining airport property in Allegheny County. Solar farms and solar parking lots are all around us. It's time we catch up. As a starting point, I suggest exploring what it would take to install solar parking canopies over existing parking areas on one of our parks. The electricity produced would go into the grid as a credit to the county. I can see us all here within the space of a year smiling as we listen to how you're going to use that savings to freshen up the parks. That would be progressive. I'm leaving a few links to solar community initiatives.

PRESIDENT DEFAZIO: Thank you. Diane Peterson? Is Diane Peterson here? Bob Nishikawa. Oh, you're Diane? Okay. Go ahead.

MS. PETERSON: I'm Diana Peterson from 125 Woodshire, 15215. I want to thank you for not only listening tonight but for many months of this. Thank you, Sue Means, for holding the informational --- she's not there, but thank you for holding that last week. I've learned a lot about hydrofracturing and I hope you have, too. I can't say I envy your job. I can't imagine the weight of not only sifting through all this information but the weight of the responsibility of justly representing each of those people in your district that have given you their vote and are entrusting you with their care, looking after the well-being of these voters,

their families, their children, the land of Allegheny County that you are personally taking responsibility for. Wow. I know your job is to do due diligence before casting your vote and I don't know how you will vote. But I pray and trust that you will vote with your constituents in mind. What is in their best interest and what do they want you to vote? And you know according to the polls, the independent research, that 70 percent of them want you to vote no. I don't understand this. You are representing their health, their safety and what they want. Seventy (70) percent of them are asking you to vote no.

Personally, I went out and talked to my neighbors. I went to school functions. I made some friends, let me tell you. I was at the soccer games, at the grocery store, at the library, and the parks. And these people want you to vote no. These people have signed their name, their address and an e-mail that says, we the undersigned, demand that the Allegheny County Council say no to fracking in and under our county parks and reject any proposals to lease and sell our parks to shale gas extraction. They put down their names, their addresses, their e-mails. I had people that wouldn't sign because they weren't sure. I had one person who said yes, they wanted it, but only if it was safe. And I --- this is the scary part. I had many people who said no, I'm afraid to sign this. No, I'm afraid to sign this. Oh, my God. Anyway, I'm personally shocked at how fast --- I can't say I admire the state. I have to say I do admire the State of Maryland. They seem to take due diligence very seriously. Their comprehensive gas development plan says it requires a minimum of two years of predevelopment baseline data. Yea.

Pittsburgh has worked so hard to clean up the area, to clean up your dirty image, why are we risking it? It's something you worked so hard at, why are we risking it all here? I've asked Ed Kress how he would answer my son when my son asked, mommy, what will we do if fracking our parks leaves our air and water unsafe? And I have to say, what my husband and I have said in private, what will we do? We will leave. And we won't be the only ones. And you are going to lose net money, not gain it, because you're going to lose your industry and all your highly educated people. Please, please, think of our children, my family, your families, your legacy. Please vote no.

PRESIDENT DEFAZIO: Bob Nishikawa, George Karpacs.

MR. NICHIKAWA: I'm Bob Nishikawa, 125 Woodshire Drive, Pittsburgh, 15215. First I'd like to thank Mr. Kress. There's a lot of talk about people doing due diligence, and I know Mr. Kress has done tens, if not a hundred hours' worth of research on the area --- on the topic, all in his spare time, so I appreciate that. I know you know how I want you to vote. And I'm confident that whatever you will vote, that it's a well-informed vote. And so I appreciate that.

I consider the topic that we're talking about a battle between Range Resource, a Texas company, and the people who love their park in Allegheny County. We're asking you to help us. We're not a big company. We can't buy TV commercial time, billboards to put up half truths. We can only come here and talk to you and urge you to vote to help us. Excuse me. Range Resource doesn't live in this area. They don't care if we have parks or not. They just want to make money. They don't care if our kids have clean drinking water, fresh air to breathe, clean land to play on, they just want to make money. They don't care if more people die in car accidents in Allegheny County, they just want to make money. The gas under Deer Lakes Park is not special gas. It's not any different than any other gas. They don't need that gas under that park. They can go look elsewhere to get their gas. I'm asking you to help us. I'm asking you to help us fight Range Resource and vote no. Thank you.

PRESIDENT DEFAZIO: George Karpacs? George? Yvonne Brown?

MS. BROWN: My name is Yvonne F. Brown, and I'm an advocate from Children and Youth and Family and hospital workers. But you know, UPMC said they don't have any workers but I'm representing whoever those people are. I want you to know that I came down to fight to say that, no, there should not be fracking under the parks. I can't say too much for the area where I live at. I live in the Hill District. We don't have any parks. And even the little playgrounds we have, they don't keep up. So when you say that in your park you don't have this, you don't have that, but you have a park. And the one man said if you get in touch with him he'll come and help you. And if I had a way to get out there, I would, too, if we're doing it for the children. So I'm telling you, I say no even

though I'm nowhere near where you are. Those parks are supposed to be for the families.

Now, I would like to deviate for a minute if I could. I want to thank Mr. Robinson because years ago when I worked in the LIHEAP program and Governor Casey was getting ready to cut it, I went and had 500 petitions. And I seen Mr. Robinson, he was coming up the stairs, I stopped him. I said take them to the Governor. And he did. And they kept the LIHEAP program open. When I went to work, the supervisors say we got to thank her. And I'm not bragging, but I'm saying because I caught Mr. Robinson and he took it up there.

Now, also, I stand in favor that we do not sell the August Wilson Center. I met August Wilson at City Council. Asolo Deemhead (phonetic) brought him there. I saw him. I said that looks like August Wilson. They had the little paper and I went over and I said, no, you are, sign it. And he did. And then I didn't bother him any more. He came back to be --- Rob Penny. That was a black professor from Pitt. And I was able to tell August Wilson, I was at Carlow College and I was studying census (phonetic). I'm telling you that in Africa --- there's a doctor that works up in the Hill District who takes care of the poor, brings them medicine and stuff. I can't think of his name but I got a picture with him. But anyway, he said he went to Africa and they have a theater named after August Wilson. So if Africa, the Africans can appreciate him ---. And I was listening to channel 13, channel 17, they have all the books, you need to listen about all these different books they talk about. They were talking about it was Medgar Evers, you know he got killed, but they said something about August Wilson. They said August Wilson talked about the lives of the people in the community. He talked about the Hill. You should read it. Because I was a teenager and I remember my sister coming home talking about what was in the book. I'm done. Thank you.

PRESIDENT DEFAZIO: Robert Buncher followed by Peter Broge. Go ahead, Robert.

MR. BUNCHER: Robert Buncher, 1605 Beechwood Boulevard, Pittsburgh, 20-some years a union member, twice elected president of my local AFSCME 489. And I'm sorry Jack Shea left, but he looks a lot more like Andrew Carnegie than Joe Hill. Through the influence of corporate money, governing bodies in the U.S. have become

corrupt and undemocratic. At the national level, the four branches, the executive, legislative and judicial and military security, are complicit in this move toward corporate control of the country. Their policies, laws, judicial decisions, enforcements, serve to sustain the power and profit of the corporate elite while diminishing the lives of the common man. This is also true at the state level in Pennsylvania where we have a governor who cuts funding for education and healthcare while doing everything to promote corporate profit, often in unethical and possibly illegal fashion. This Governor is particularly servile to the energy industry. He has served as --- he has staff at the Department of Environmental Protection that have misled landowners about the contamination of the drinking water and an agency that's reluctant to provide any oversight of the fracking industry.

The legislative branch is just as complicit, passing laws that override the rights of local governments to control zoning and fracking in our own communities. And a government that gags doctors in telling their patients the health risks of fracking. How can such a law be possible? Fortunately, the Supreme Court has shown some integrity in a recent ruling, overturning sections of Act 13, the Court overturned state restrictions on local zoning rights calling them unconstitutional. In a majority opinion the justices cited Article I, Section 27 of the Pennsylvania State Constitution which guarantees the right to clean air, pure water and to the preservation of a natural, scenic, historic and ethical environment. They wanted to say when government acts, the action must be balanced reasonably to account for the environmental effect of the locale. So where does this lead us locally? Our County Executive is, as the Governor, servile to the energy companies. He wants to sell Allegheny County, the land, air, water and health of future generations. The Commonwealth of --- owned by the people. He wants to sell these to increase the profits of energy companies. If he succeeds at this, he will violate the Constitution of Pennsylvania and be opening the county to massive lawsuits.

So where do you stand? Will you follow the path of the corrupt government? Will you follow the County Executive in his unethical and unconstitutional deal with the industry that's responsible for climate change and the

poisoning of our land? Or will you resist the transfer of governmental power to corporations? Will you follow the constitution, protect the environment, stand as a government of people? Will you vote no on fracking? We're watching you.

PRESIDENT DEFAZIO: Thank you. Pete, Peter? Followed by Jeanne Clark.

MR. BROGE: Good evening. My name is Pete Broge. I'm from West Deer Township, originally 79 Glasgow Road, that's what it's called now. I am the corporate account manager and co director of business development for Case Law Solutions and C&J Energy Services which is a multifaceted service company in the energy industry and yes, hydraulic fracturing is one of our main stays. As I said, I'm originally a resident of Allegheny County. I also belong to one of the largest organizations on the planet. There's billions of people in that organization. I'm a steward of this planet. I am environmentally conscious. I was raised that way. I believe that our environment and the energy industry and the commerce of it can exist peacefully. I prepared this elaborate and technical presentation but there seems to be so many environmental and engineering experts here I thought it was a waste of breath. So I just thought I'd share with you a couple of little points. I did a little research while sitting here.

First of all, I just want to tell you a little bit about what I'm exposed to everyday just to make a statement. Whether it's in the boardroom or in the field, every day I'm exposed to, as part of my job, understanding the culture of safety that is part of this industry in which they place an elevated and equal emphasis on the health and safety of every human being on location, the environment, and the living creatures therein every day. That's my exposure to the industry. I wanted to address something that came up quite a bit about sustainable energy, which I happen to believe in a lot, too. I did a little research. There's 300,000 people that are in Pittsburgh. To power it, cool it and heat it with wind power it would take approximately 4,500 acres of land to do that. There's 12,000 acres of county park. So you'd cover almost half of that. If you did it solar with the best technology we have today, it would take approximately two-thirds of that space to cover it the solar panels. It's a fact you can research yourself. It's actually

science. I want to read one other thing in closing. This is part of the mission statement, actually the last line of the mission statement of the parks department website, and I'll be accused for taking this out of context but that's okay. The last line says, regarding the parks and the reason for them, forms an integral part of the county-wide system of open spaces, greenways and trails. And contributes to the economic viability of the county. I don't envy your vote. I hope you vote your conscience. I for one am in support of the industry. Again, my name is Pete Broge and thank you for your time.

PRESIDENT DEFAZIO: Jeanne Clark followed by Peri Unligil.

MS. CLARK: My name is Jeanne Clark and for the past 15 years I've worked to protect the environment and economy, particularly working around energy issues. As the debate on this proposal has gone forward, I've been saddened to find so much of it grounded in personal invective, mistrust and a contention that one side is somehow morally superior to the other. In addition, it's very clear that this issue, whether or not the county should sign this lease, has become a surrogate for other political issues. It has become nearly impossible to have an evidence-based and calm discussion about the lease, its impact and what Council should do. Our citizens are poorly served by this. Many of the lease opponents are not just against this lease, they are against deep natural gas drilling itself. So no matter how many protections for our air, land, water and sky, no matter how many benefits the county and the people of West Deer and Frazer will accrue, no matter how much desperately needed funding will come to our treasury, many of the opponents would say no anyway. I would be happy to detail the case for responsible drilling, starting with the fact that thanks to natural gas drilling, Pennsylvania has cut its contribution to global warming, and our dirty dinosaur coal-fired power plants are being closed because they can't compete with gas. But that's a longer conversation and it's for another venue. It would also require a serious look at not just the risk of drilling, but the risks and benefits from all of our energy choices and what happens because of those choices.

This is not a black and white issue, no matter how many race horses try to say it is. But let me urge you to support this lease and talk about what the results

might be because if you vote no, you won't stop drilling. There are already 109 shallow wells and 19 deep wells drilled in West Deer and Frazer since 2010. One is only a few hundred feet from one of the park's entrances. That drilling will go on and we will have no benefit and we'll have increased risk. This lease gives us significant environmental benefits. It increases the protection of water. It protects the community against noise and air pollution. And it protects students, school buses and school bus routes from truck traffic. Without this lease the people in West Deer and Frazer will have none of these additional protectives, but drilling will take place.

This lease brings us significant financial benefits. Without this lease, the county gets nothing. This lease means job recruitment for local citizens. Without the lease, the companies will have no obligation to local workers. This lease puts Allegheny County in charge. Without this lease, we are dependent on the State Department of Environmental Protection where all regulation and enforcement has been removed from the workers in the region and is decided by political appointees in Harrisburg. This lease holds the companies accountable and provides concessions never before obtained from the industry. It's time to put politics, invective and distrust aside and vote for the public interest. And that means voting for the lease. I urge you to do so.

PRESIDENT DEFAZIO: Thank you. Peri Unligil.

MS. UNLIGIL: Honorable members of the Council, my name is Peri Unligil. I live at 210 Sunridge Road, Pittsburgh, PA, 15238. I'm a practicing internal medicine specialist here in Allegheny as well as a mother and frequent user of the parks, including Deer Lakes Park. I've already voiced my strong opposition to fracking in the county parks and Deer Lakes Park in particular on two previous occasions, listing my safety concerns, but I did want to urge Council, in particular my representative, Mr. Ed Kress, one last time to reject this activity in county parks for the sake of the future of the county and its residents. My husband, a pediatrician and I moved here in 2001 to pursue training at the outstanding medical and academic institutions here. We stayed because he engaged an engaging community here --- which, if it takes a village to raise a child, was just the village we wanted our children to be raised by.

The conversation around fracking and outspoken opposition to fracking in our county parks I've witnessed over the past nine months have reinforced my belief that this is a community that cares about the health of its children and their future environment more than profit. The long-term risks of air and water pollution as well as immediate risks such as fires make hydrofracking an activity that has no place in our county parks or below our county parks. I sincerely hope that having reviewed the experiences of other communities already impacted by fracking that you'll take a strong stand today in support of your community and the parks that are dedicated to the healthy recreation of its citizens by voting to reject this very unwise proposal. Thank you.

PRESIDENT DEFAZIO: Ron Slabe? We have one more speaker we bypassed. It will be Harvey Holtz. That will be the last one after him. Go ahead.

MR. SLABE: Hello, everyone. My name is Ron Slabe but I'm here to thank you, first of all, for allowing me to speak. I live in New Kensington outside the county, but Deer Lakes is very close to me and I am thankful that you're allowing me to speak. I would first like to summarize a couple of things I said to you several weeks ago. First, this lease does not provide for verifiable, guaranteed setbacks. Without specific wording to the contrary, drilling can occur to the very edges of the park with frack pits, condensate tanks, chemical storage and flaring done at its very borders and there would be no way of stopping this under current lease arrangements.

Secondly, we were told by Mr. Fitzgerald that the lakes at the park were already polluted which was completely incorrect and untruthful. The Pennsylvania Fish Commission denied any lake pollution and continues to stock the lake for fishing. Mr. Fitzgerald's lack of straightforwardness about this matter and other aspects of the proposed lease should be very closely considered. What else is he failing to disclose openly to you?

In all this discussion we cannot avoid the spiritual and religious aspects of the entire drilling question. In our Judeo-Christian background, we are taught that we are obligated to be good stewards of the earth. Christian teaching tells us to avoid any disordered use of things which would be in contempt of the Creator and would bring disastrous consequences for human

beings and their environment. A recent papal encyclical, Making Peace with Mother Earth, warns that dramatic threat of ecological breakdown is teaching us the extent to which greed and selfishness are contrary to the order of creation and how the ecological crisis is a moral crisis in which all are reminded of our serious obligation to care for all creation.

The overwhelming evidence of the negative effects of unconventional drilling should cause each member of this Council to examine his or her conscience and reach the conclusion that this process is indeed a disordered use of the environment and a process which is in contempt of the Creator. Our Pennsylvania Supreme Court has also warned of the predictable devastation that unconventional gas drilling will cause. We are charged by our Pennsylvania Constitution to protect the environment, its people and be those good stewards for future generations to come. In the end we will be judged as to which road we have chosen as we eventually pass from this world to the next. Failure to do all possible to protect God's creation will not only destroy the future of our children and grandchildren, but worse yet, cause this body to be in contempt of the Creator with all the dire consequences that contempt may imply. So I urge you and plead with you to vote no.

MR. HOLTZ: Good evening, Council. I am used to battling cleanup in the Bronx, where I grew up. My name is Harvey Holtz. I am IUP professor emeritus. I am from a union family and I live in Gateway Towers. I have something a little different. In the last 200 years, industrial capitalism has created the technological capacity to collapse civilization. However, it has not created the social capacity to reverse this trend. Our institutions seem incapable of dealing with all this carbon we're putting into the atmosphere. We are probably on a path to suicide and extinction, and we don't have the social institutions to save it. And you are one of those institutions right now. You are part of this broader battle. You must remember corporate science. As Jules mentioned, they gave us tobacco which was safe. They gave us leaded gasoline which was rotting our brains. They gave pregnant women thalidomide. They gave us asbestos. They gave black lung to miners.

And right now GM, for a few cents, would rather have people die than change their switches. U.S. Steel

became USX. Why? Corporations don't want to make a profit. They must make a profit. And USX means U.S. anything. If they could sell llama droppings, they'd sell it. If they could sell zyklon gas, they would sell it as they did in Germany. Range Resources is a corporation. It must make a profit or it will be sued by its board of trustees. So to those of you who spoke and hid your vested interests, shame on you. Anyone on the Council who has a vested interest, declare it. To the mothers who sacrificed their children on this altar, speak to me. I think I know all this stuff, but you must know more. Did Pittsburgh workers win the battle of Homestead so union bosses could betray labor as they cower to a power mongering county executive? It is he that should be cowering to the working people. Council has a responsibility here. If you're powerless, that's not a problem. We're powerless.

How about a referendum? Forget your powerlessness, give us the power because you're giving it up. Things will go badly for you. Are your political careers more important than the well-being of your children? Do you want to write a yes vote to your children, to your grandchildren? Do you want to write them on how well you've done? You have the power to stand against this threat to Allegheny County. And with it, you can change the tenor of the battle against carbon and against extinction. It's on you and you can do it.

PRESIDENT DEFAZIO: All right. We're going on. That's the last of the speakers.

MR. MENNER: Excuse me, Council. I went to the wrong place. I went to Deer Lakes instead of here, and that's why I came in late and that's why I'm not on the list.

PRESIDENT DEFAZIO: If you're not on the list of speakers ---.

MR. CATANESE: I don't even know his name.

MR. MENNER: I just wanted to say that my name is George Mattern and I'm a professional ---.

PRESIDENT DEFAZIO: If you're not on the list, you can't speak. I catch it from everybody, you know. Is he on the list or isn't he on the list? Okay. Well, then we have to move on. Then he can't talk. If you make a vote to let him talk, we'll let him talk. Does someone make the motion to let him speak?

MR. ELLENBOGEN: I'll make the motion.

MR. MACEY: Second.

PRESIDENT DEFAZIO: Other remarks, ---.

MR. MENNER: I didn't sign up and I want to talk.

PRESIDENT DEFAZIO: Well, they have to make the motion. Okay? there's a motion on the floor. Let's take a roll call. Take a roll call. All those in favor signify by saying aye.

(Chorus of ayes).

PRESIDENT DEFAZIO: Opposed?

MR. FINNERTY: No.

MR. BAKER: No.

PRESIDENT DEFAZIO: Who opposed? Okay. Take a roll call. This is the way the rules go. You're allowed to do it this way.

MR. CATANESE: Mr. Baker?

MR. BAKER: No.

MR. CATANESE: Ms. Danko?

MS. DANKO: No.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: No.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

MR. CATANESE: Mr. Kress?

MR. KRESS: Yes.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Yes.

MR. CATANESE: Ms. Means?

MS. MEANS: No.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. CATANESE: Ms. Rea?

MS. REA: Yes.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Nay.

MR. CATANESE: Mr. DeFazio, President?

PRESIDENT DEFAZIO: Yes.

MR. CATANESE: Ayes 10, nos, 5, it passes.

PRESIDENT DEFAZIO: All right. Three minutes.

Let's go.

MR. MENNER: I'm sorry for the delay. I went to the wrong place.

PRESIDENT DEFAZIO: All right. You have your three minutes.

MR. MENNER: My name is George Menner and I'm a registered professional engineer and also an industrial realtor and have been for 45 years since 1965. When I was 16 years old at Hampton High School, I left Hampton High School because I was on a scholarship to go to Wyoming where I was on the discovery well in Pinedale, Wyoming. We discovered the Green River shale. That shale gas was delivered five years ago, that's how long it took. But anyway, it's the third largest gas field in the United States. I've been involved with energy all of my life and I'm involved with industry primarily. And I was the chief engineer for Columbia Gas system and I brought in much industry. In 1962 from (sic) 1973 we converted almost every natural gas --- every boiler in the whole four (sic) states that Columbia serves. With 76 professional engineers, we converted every boiler, every process, we even put six percent of natural gas into the blast furnace replacing coal. Now it's up to 45 percent.

We're bringing back industry. The industry we're bringing back is humungous. It's going to rebuild Pennsylvania. Natural gas is clean. Do you know how we cleaned up the air? Do you remember? I'm 77 years old. When I was a kid I went outside and played and the dirt was coming down. There was no white snow, it was black snow. We cleaned up the gas because we bought two large oil pipelines after the war that were put there because we lost 34 percent of our shipping to German submarines. And after the war we had those wells and we had those pipelines and we brought the gas, those pipelines in here and we converted all the natural --- all the coal furnaces that you have in your homes to natural gas.

Do you like natural gas? Was it warm this winter? We put bring it in. Ninety-eight (98) percent of this area uses natural gas. So I just wanted to tell you that. The future of natural gas is we have a 200-years supply. That comes from Engelder, who's the chief geologist at Penn State. Penn State is the number one school for petroleum engineering in the world. And they

are very much in favor of fracking so that we can continue this legacy. Thank you.

PRESIDENT DEFAZIO: Okay. 8247-14. No, no. Hold it.

MS. BANDES: Wait a minute. You said ---.

PRESIDENT DEFAZIO: I'll tell you what the rules in the book are. In the book, if a Council person goes against the rules, we have to vote on it. Now, a Council person didn't ask for you or make a rule for you. Did you already speak?

MS. BANDES: No. I haven't spoken.

PRESIDENT DEFAZIO: Okay. Did somebody make a motion up here for you to speak?

MS. HEIDELBAUGH: I'll make a motion.

MS. RAE: I'll second it.

MS. BANDES: I thought that was for everyone ---

PRESIDENT DEFAZIO: No, no, no.

MS. BANDES: --- because ---.

PRESIDENT DEFAZIO: No. We're breaking the rules, but we're going to take a vote. Okay. She made a motion. We have to vote on it. Go ahead.

MR. CATANESE: Mr. Baker?

MR. BAKER: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: Yes.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Yes.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

MR. CATANESE: Mr. Kress?

MR. KRESS: Yes.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Yes.

MR. CATANESE: Ms. Means?

MS. MEANS: Yes.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Nay.
MR. CATANESE: Mr. DeFazio, President?
PRESIDENT DEFAZIO: Yes.
MR. CATANESE: 14 yeses, 1 no, it passes.
PRESIDENT DEFAZIO: You've got three minutes.

Go ahead.

MS. BANDES: My name is Marcia Bandes. I'm in 15217, 1531 South Negley Avenue and I came here tonight --- I did not sign up, but I always thought that at the end there was time for an open ---.

PRESIDENT DEFAZIO: But it isn't the end.

MS. BANDES: So that's why I didn't --- that's why I thought ---.

PRESIDENT DEFAZIO: Go ahead. We love you. Go ahead.

MS. BANDES: So anyway, what I --- most everybody has said what I wanted to say and so I won't repeat it, but I did come here tonight. I did sit all night. I didn't heckle. I didn't --- I just want people to know that I'm asking you to vote no on this. So just thank you very much.

PRESIDENT DEFAZIO: Thanks a lot. Okay.

8247-14.

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

MR. MACEY: So moved.

MR. FINNERTY: Second.

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

(Chorus of ayes).

PRESIDENT DEFAZIO: Opposed? The ayes have it. Unfinished business, Committee on Budget and Finance, second reading. That would be 8227-14.

MR. CATANESE: An ordinance of the County of Allegheny County, Pennsylvania, authorizing the incurrence of nonelectoral 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: Mike?

MR. FINNERTY: Thank you, Mr. President. The Committee on Budget and Finance met and moved this with an affirmative recommendation unanimously. And myself, Barbara Daly Danko, Amanda Green Hawkins, Bob Macey, Nick Futules, Sue Means and Jan Rea were present at the meeting. We had seven members present. Also, you were present, President, and Chuck Martoni also, who are not members of the committee. This legislation is actually a sort of a three part. It's a refunding which will save the County \$11 million and it will be taken over five years. The second part is a restructuring which will save \$2 million. And the last part of this is new money which is a bond for \$82 million max. And that's for the 2015 and 2016 capital budget. So I move for approval.

MR. MACEY: Second.

MR. ROBINSON: Mr. President?

PRESIDENT DEFAZIO: Other remarks. Go ahead.

MR. ROBINSON: I have a motion that properly more appropriately addressed under motions but I want to alert you that at the appropriate time I have a motion that relates specifically to this issue.

PRESIDENT DEFAZIO: We're on this particular --- we're on this here. I mean, if you want to try to amend it, ---.

MR. ROBINSON: It's not an amendment. It's a motion. And I think it would be more appropriate ---.

PRESIDENT DEFAZIO: We have to clear this motion one way or the other first.

MR. FUTULES: I'll second it. What's his motion?

PRESIDENT DEFAZIO: You can't second the --- there's a motion on the floor, properly seconded, so we have to either deal with it or amend it. Any other remarks? Seeing none, call the roll.

MR. CATANESE: Mr. Baker?

MR. BAKER: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: Yes.
MR. CATANESE: Mr. Futules?
MR. FUTULES: Yes.
MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: No.
MR. CATANESE: Mr. Kress?
MR. KRESS: Yes.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: Yes.
MR. CATANESE: Ms. Means?
MS. MEANS: Yes.
MR. CATANESE: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Nay.
MR. CATANESE: Mr. DeFazio, President?
PRESIDENT DEFAZIO: Yes.

MR. CATANESE: Ayes 13, nos, 2, it passes.

PRESIDENT DEFAZIO: 8229-14.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2014, Submission 6-14. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Mike?

MR. FINNERTY: Thank you, Mr. President. Again, this was taken up in the committee on budget and finance and was moved unanimously to Council. I would move that it be approved.

MR. MACEY: Second.

PRESIDENT DEFAZIO: Other remarks? Seeing none, take the roll.

MR. CATANESE: Mr. Baker?
MR. BAKER: Aye.
MR. CATANESE: Ms. Danko?
MS. DANKO: Aye.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: Aye.
MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.
MR. CATANESE: Mr. Futules?
MR. FUTULES: Yes.
MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Yes.
MR. CATANESE: Mr. Kress?
MR. KRESS: Yes.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: Yes.
MR. CATANESE: Ms. Means?
MS. MEANS: Yes.
MR. CATANESE: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. DeFazio, President?
PRESIDENT DEFAZIO: Yes.
MR. CATANESE: Ayes 15, nos, 0, bill passes.
PRESIDENT DEFAZIO: Committee on Parks, Second

Reading, 8182-14.

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

PRESIDENT DEFAZIO: Nick?

MR. FUTULES: Thank you. Mr. President, at this time I want to thank the people here for coming for the last ten months. I'd also like to thank our staff, thank our Councilmembers, the news media, everybody that was involved in this. And one thing I have learned over this last ten months is that really, nobody in this room is wrong. Marcellus Shale is dangerous. There are risks. We know that. No one's denying it. I've seen it. Deer Lakes Park has no gas well on the property. We've been

through there. We know that. The law of physics says water contamination does not flow uphill, the law of physics. I have a report from a hydrogeologist from Penn State and he spoke at the April 22nd meeting and he gave everybody a pamphlet on it. And he said yes, there will be a footprint. There's wells. There's pipelines. And yes, they got to be responsible. It's a fine balance between energy, exploration and safety. So we conducted meetings.

PRESIDENT DEFAZIO: Let me say this so we try to do it properly.

MR. FUTULES: Go ahead.

PRESIDENT DEFAZIO: As the Chairman, you should talk about the bill. The motion will be ---.

MR. FUTULES: Okay. I'll talk about our committee meetings.

PRESIDENT DEFAZIO: Okay.

MR. FINNERTY: Make the motion.

MR. FUTULES: Well, I'll make a motion.

PRESIDENT DEFAZIO: Make the motion.

MR. FUTULES: I make the motion to approve.

PRESIDENT DEFAZIO: Does someone want to second?

MR. FINNERTY: Second.

PRESIDENT DEFAZIO: Second. Other remarks? Go ahead.

MS. HEIDELBAUGH: I have an amendment.

MR. ROBINSON: I have an amendment also.

MR. FUTULES: Can I finish just my remarks and then we can do your amendment? Give the chair some latitude.

PRESIDENT DEFAZIO: Wait a minute, Nick.

MR. FUTULES: Go ahead.

PRESIDENT DEFAZIO: There's a motion on the floor. She does have an amendment but we have to deal with that, then we'll go back.

MR. FUTULES: I just wanted to recap the meetings. That's all.

MR. ROBINSON: I have an amendment also, Mr. President. I have two amendments.

PRESIDENT DEFAZIO: Yeah. I said she's first. You're second.

MS. HEIDELBAUGH: I have an amendment, Jared. Do I have a second?

MS. MEANS: Yes. I second the amendment.

PRESIDENT DEFAZIO: She has to switch the tape so we'll let her switch the tape and we can look at this.
SHORT BREAK TAKEN

PRESIDENT DEFAZIO: Go ahead. You have the floor.

MS. HEIDELBAUGH: Thank you, Mr. President. I have proposed an amendment which I provided to all of my colleagues previously. The actual piece of paper that was handed out by our chief clerk has two errors and he's making a copy of the correct first page. So there are some changes to the Whereas. But those are not the substantive changes which I'm really going to discuss today. The substantive changes to the ordinance start on page five, conditions relating to the specific lease terms. My amendment states that in addition to the conditions enumerated in section two which is the amendment Mr. DeFazio put into the original ordinance, I believe that the ordinance shall be contingent upon each of the following conditions and shall not be deemed effective for any period during which any of the following conditions are not met.

Number one, the lease must specifically indicate that there must be no use of the roads in the park by Range or any AFSCME contractor or subcontractor performing work pursuant to the lease terms. That is not currently in the lease.

Number two, the lease must specifically permit the extension of the secondary term of the lease if and only if there is actual production in marketable quantities from wells which include the leased premises.

Number three, the lease must contain express language within its definitions and operational standards for all activity related to the lease requiring that those activities be in conformance with all applicable law and industry best practices regardless of whether the activities are undertaken on park property or on adjacent properties.

Number four, the lease must expressly require there must be no adverse effect upon groundwater as a result of the activities of lessee and the AFSCME contractor or subcontractor. And that lessee must not use water from the park or from water sources that supply the park in its drilling operations.

The lease must also specify that there shall be no storage of waste liquids on the unit or the adjacent properties.

Next item, the lease must specify that the lease bonus is to be paid on all acres that are encumbered by the lease, and there must be no limitation of default remedies if the lessee fails to put the required percentage of the acres into production units.

And lastly, the lease must clearly indicate that the county retains the right to terminate the lease if the lessee is in default in any fashion. None of these items that I have added are contained with the lease. All of these items were promised orally but are not contractually in the lease. It's important for us if we're going to allow this lease to proceed and if we're going to balance the interests, that the economic recovery equal the environmental protections that we receive.

PRESIDENT DEFAZIO: Okay. I mean, she has the language. It was supposed to be presented to us. He ran down. He should be up in half a minute with what you just read off; right?

MS. HEIDELBAUGH: Well, they have all of those.

MR. FUTULES: What was the mistake on, is it page one, two?

MS. HEIDELBAUGH: Yes. On page two, the current Whereas in the ordinance that currently states, it says, Whereas the county has conducted a careful and considerate review of the Range proposal. I think we ought to strike that because that, in fact, has not happened. I also think that we ought to strike the next Whereas describing the legal counsel that was hired by the County, that he specializes in oil and gas law and has longstanding experience in negotiations of leases of oil and mineral rights. Because I believe based on the questions that I had asked him that that is also not true.

PRESIDENT DEFAZIO: Let me see the paper. Show me which ones you're ---?

MS. HEIDENBAUGH: Sure.

PRESIDENT DEFAZIO: Does anybody have a question while we're waiting? All right.

MS. HEIDELBAUGH: One of the things I would like to draw to everybody's attention, which I think has been an issue that has actually never been addressed. And I think it's my fault for never having addressed this issue. But I found out the answer tonight. The parks produce ---

bring in \$24 million a year. The parks bring in \$24 million a year. They receive \$8 million a year. The parks are revenue generators. I asked a member of the staff to give me this information and they gave me this information from the CFP. It appears that we don't use all the money the parks generate for the parks. It's always been obviously evident that we choose how to spend our dollars. I have been a proponent of the close examination of the dollars we spend.

I have been a proponent of examining closing the dollars we spend, but more importantly, the dollars we waste. Our choice not to develop our parks which are in a shameful condition compared to many other major metropolitan areas has been a choice of our own, not because we don't have the money. We are principally funded through our parks through RAD. They give us an enormous amount of money. And so there also has been discussion by the administration, I know, if this passes, reduce our current funding of the parks. They'll take money away and put it to other endeavors. So I think that's important. And when I speak to this entire issue, that's one of the issues that I'm going to be addressing.

Now, we certainly could have had a full discussion of this had the itinerary of the meetings been more collaborative. We could have discussed funding of the parks. We could have pulled up the real numbers. We could have looked at the source of the revenue. And we could have looked at the spending. But no one ever has. And so here we are at the 11th hour discussing this. And I'm sure when I'm done speaking, which won't be for a while this evening because now is going to be our chance to all talk, I'm sure I'll be criticized. But it's sad that this is the first time we're talking about it.
(Applause).

MR. FINNERTY: I guess are we going to have an audience that's going to clap, et cetera, as we go through this?

MS. HEIDELBAUGH: Don't be jealous, Mike.

MR. FINNERTY: It's not, number one, a matter of jealousy, it's a matter of order that has to be done in our council meetings. And I think we have to follow the Rule of Order.

PRESIDENT DEFAZIO: Mr. Ellenbogen?

MR. ELLENBOGEN: I have two points.

MR. FINNERTY: I thought it was mine.

PRESIDENT DEFAZIO: Oh, okay. I thought you were done.

MR. FINNERTY: Oh, no, I'm not finished. A couple things. Number one, I have not seen this statement about our parks and I think it's important if you're going to say something like that, that you have the information that can show that --- you can verify what you're saying. I think that's extremely important, not just to say something. All right? That's number one.

Number two, in regard --- I thought we were going to speak about some amendments. In regard to the amendment, if we take a look at the lease itself in, say, 1.02, and go back to the lease, 1.02, what is the difference? And if I could ask you that question, ---

PRESIDENT DEFAZIO: You can defer to me and I'll defer to her.

MR. FINNERTY: Councilman --- or Councilwoman? I'm sorry.

MS. HEIDELBAUGH: I'm going to need to pull up the lease and think, so I'm happy to answer it, but I can't answer it right this moment.

MR. FINNERTY: By the way, that lease, 1.02 says this lease is a nonsurface use oil and gas lease, no well shall be drilled on Deer Lakes nor shall lessee enter upon Deer Lakes Park without lessor's prior written consent except as hereinafter provided. Lessee shall not install any structure or apparatus or (sic) any type on Deer Lakes Park including but not limited to pipelines, well pads and road. So that's what 02 --- 1.02 says in the lease.

MR. HEIDELBAUGH: I have your answer, Mr. Finnerty.

PRESIDENT DEFAZIO: Wait. Wait.

MR. FINNERTY: Okay. Now, what you're doing is you're replacing that, I guess, with your 1.02, the lease must specifically indicate that there must be no use of the roads in the park by Range or any assignee contractor or subcontractor pointing (phonetic) work pursuant to the lease terms. Am I correct?

MS. HEIDELBAUGH: No, you're not.

MR. FINNERTY: Thank you.

PRESIDENT DEFAZIO: Any more, Mike?

MR. FINNERTY: That's all on that one.

MR. HEIDELBAUGH: The roads in Deer Lakes Park are county roads. Therefore, an argument could be made by the operator that the roads are not the park and

therefore, they can operate on the roads. So if we get this provision in it will clear up that ambiguity.

PRESIDENT DEFAZIO: Over here.

MR. MACEY: Yes. As a member of the parks, I would like to have Will McCain come up, our county manager, and really tell us --- what we're netting on the parks is what? \$24 million may be income but what are we netting? What would it cost us to operate the parks?

MR. FUTULES: I could tell you that. You don't need him to tell you. I could tell you that.

PRESIDENT DEFAZIO: Wait a minute. Who's in charge of this meeting? Bill, do you want to come up?

MR. MACEY: Thank you, Mr. McKain.

MR. MCKAIN: On the operating side, we do file a report with RAD that captures all the revenues and all of the expenditures. And this is very typical. For 2013, 2012, the total amount of revenue for the parks would be about \$19 million from RAD and about \$5 million from fees that we charge there. But we have to then contribute about \$6 million on county tax dollars because the expenditures in the parks include not only the seasonal staff and the maintenance of the facilities, but also includes the police, the laborers, the plumbers, the trades and the indirect costs. So it costs us about \$6 million out of the operating.

On the capital side, as Council knows, when we go through the budget process, there's a lot of requests and we can't fund everything. So the last five years, for the parks, they've requested about \$50 million and we were able to give them \$30 million. So on the capital side, you know, we weren't able to fund \$20 million over the last five years. And there was a report done, you know, about a decade ago that identified about \$120 million park-wide. I'm not sure if that gives you any perspective, but there's a lot of cost to operate the parks, not just the direct costs but the police and the trades. So it's about \$5, \$6, million a year in county tax dollars that support the parks separate from RAD and fees.

PRESIDENT DEFAZIO: Okay? Any other questions? Go ahead. Mr. Ellenbogen again.

MR. ELLENBOGEN: Mr. McKain, some of the things that have been brought up in this amendment, I don't know, maybe because I've been working since six o'clock this morning, can you tell me whether --- can you tell me if

those things are already counted in the lease and there's no need for this amendment? Because I need a fresh pair of eyes on this.

MR. MCKAIN: I see the solicitor coming up to support and answer that question. So I think he'll be able to probably disseminate which provisions in the amendment are in the lease or not. If that's okay, I'll let him answer it.

MR. SZEFI: Let me just state just as a precursor to this, we have obviously --- when we sat down to do this --- we started back in October I guess it was, and what we have prepared and what we knew we would prepare is the lease that would probably receive more scrutiny than any lease in Allegheny County than maybe anywhere in western Pennsylvania, which I think it probably has. Now, I've had lawyers come up to me on the street and say how did you do this? How did you get this in here? I've had lawyers come up to me and say why didn't you do this? If you asked 50 lawyers walking up and down Grant Street, you'd get a different opinions, different opinions on how they do things and how they word things.

Councilman Heidelbaugh had it reviewed by two attorneys at Strassburger and McKenna, for example. I know Mr. Shuckrow. I know him as a municipal and school district solicitor and a fine one. I know Mr. Lawrence as a bankruptcy litigator and a fine one. I didn't know either of them did oil and gas work. Maybe they do, maybe they're great at it. But there are many number of ways that this lease could be accomplished and written. So that said, what we put in the lease is that Range is not permitted anywhere in the park, number one. To your point, all roads in the park are not County roads. Mahaffey Road runs halfway through the park at the border of West Deer and Frazer, it becomes Curren road which was a township road.

But our interpretation, Range's interpretation, referring to point 1.3 of Exhibit C, that Range shall not use or allow Deer Lakes Park or the leased premises to be used for any purpose other than that authorized by this lease. The only purpose they can use the parks for, authorized by the lease, is to come into the park for water testing, for which they would obviously have to come into the park.

MR. ELLENBOGEN: The question I have is is this amendment necessary? Because there are some good points that have been brought up here. I want to know if this is already in there. I want to know what our solicitor thinks about that also.

MR. SZEFI: That's what I'm doing. I'm going to go through point by point. The answer is --- I believe the answer is no. I believe there are points that have been raised that, if passed, this amendment --- I mean, we have forwarded it to Range. There are points in here that they agree with our interpretation because it was theirs. We came to an agreement on it. Frankly, if the amendment passes like this, there won't be a lease. That's just --- that's the way it is. I mean, that's not me talking. That's just a fact. But if I can go through them point by point, I will. And the one point that we --- they said, okay, we'll do a clarification on --- and this has been a bone of contention. I mean, one of them is Councilwoman Heidelbaugh's issue that she sought clarification on was that the lease term being extended if there's actual production in marketable quantities from relevant wells.

And the clarifying language that we would suggest or that Range would agree to as well is to put in there --- and that's that as long as there's wells capable of production. Right now, I know the issue was it just says capable of production, I mean, if the real estate is capable of production. And that could mean just if there's gas underneath the lease. And our interpretation of that and Range's as well, is that does presuppose that there's a well capable of production. That's what capable of production in the industry means. And they said fine, if you want a well capable of production in there, that's fine, we'll put that in there. I believe it to be redundant, but that's a change that will be made. Capital laws and best practices are both terms that are in the lease. The lessee must not use water from the park.

At section 8.03 lessee is strictly prohibited from using water from lessor's wells, ponds, lakes, springs, creeks, water courses or reservoirs in Deer Lakes Park. They've added the caveat here that must not use or from water sources that supply the park. I can only surmise that that means underground aquifers. That's where the water comes from. In the lease, they can't take water from springs. So springs, creeks, water courses, or reservoirs they cannot take water from Deer Lakes Park.

MR. ELLENBOGEN: Okay. So what I'm asking you, are Councilwoman Heidelbaugh's concerns expressed in this lease without this amendment?

MR. SZEFI: My opinion is yes. If you want me to just say yes and not go through it, I'll do that.

MR. ELLENBOGEN: No. Just tell me yes or no. I mean, you know, you're the solicitor. If I can't trust what you say, there's something wrong here.

MR. SZEFI: I think the amendment is out there. It's been addressed. Why don't we --- we're here. Why don't we go through it and --- you know, we're here for a while.

MR. ELLENBOGEN: That's fine.

MR. SZEFI: There should be no storage of waste liquids on the relevant unit or on adjacent properties. At 8.02 of the lease, there's a no disposal provision, no disposal well or any other device or means of disposal or waste or drilling liquids are permitted in Deer Lakes Park or within the leased premises. Bonus payments should be paid on all 1,100 acres that are encumbered by the lease. Bonus payments will be required under the lease under all acreage for which the county owns the oil and gas rights. That's about 1,135 acres. There are 45 or so acres, as we've discussed before, that we do not own the oil and gas rights to. Those will drop --- you will not receive a bonus payment on. The County must retain the right to terminate the lease if lessee defaults. There are specifically defined events of default in the lease. If the request is that we can terminate the lease for any breach of the lease, that's not a term that any operator, including Range, is going to agree to, and they have not agreed to.

We did send this proposed amendment to them. Other than the change I've described, with the wells capable of production, they are of the position that the lease has been fully and thoroughly negotiated. And that they are satisfied that it addresses these concerns already. I am as well. I could say, you know, if I could start from the beginning and just unilaterally pick any language I wanted, and if I was the only one at the table, 10,000 acres sounds good, 25 percent sounds good. When you negotiate a lease --- you didn't say that, it was said earlier. Those are --- those would be great terms.

AUDIENCE MEMBER: So why not?

MR. SZEFI: Why not? Because there's someone on the other side of the table that says I'm not going to pay that. So there are terms that you could, you know, strive to get in there. Like I know I read Mr. Lawrence and Mr. Shuckrow's opinion about we should say that, you know, the groundwater protections, they can't harm anybody's groundwater for 3,000 feet. And there were 3,500 feet of protection on groundwater in there. We have surface water protection in there. That's not something you get under DEP regulation. There is no surface water testing under DEP regulations.

AUDIENCE MEMBER: Is that enough to make it right?

MR. SZEFI: Excuse me? Well, groundwater there is. So I mean, the point I guess I'm making is, yes, there are protections in this lease. The alternative to not entering a lease is there are no protections for the park.

MR. ELLENBOGEN: Let me interrupt you for a second. Doctor Weiss quoted me, if she's still here. I'm the public safety chair, you know, I understand leases, and I understand, you know, the legal end of it. My concern are the public safety issues. That's my major concern. I don't want anybody doing anything that's unsafe, contrary to this lease, and just walking away with it. That's my concerns. That's what I want to know, are those safety concerns already in this lease without an amendment?

MR. SZEFI: There's nothing in the lease --- the safety provisions of the lease --- it's in the ordinance, that amendment that Councilman DeFazio proposed and that Attorney Cambest has agreed to as well, is that Range agrees to comply with all the safety provisions in the lease between the Range and County. And that means that if any of those provisions change, you have to come back to Council to get them changed.

MR. ELLENBOGEN: So as far as the safety conditions, Councilman DeFazio's amendment satisfied that they're in the lease and if they break any of that, they have to come back to this body; is that correct?

MR. SZEFI: If any of them change.

MR. ELLENBOGEN: Or if they change. But what if they break them?

MS. HEIDELBAUGH: No.

MR. SZEFI: If they break them, they're in breach of the lease. They have a cure period to face the problem.

MR. ELLENBOGEN: Jack, do you concur with that?

MR. CAMBEST: Mr. Ellenbogen, I've only had the opportunity to look at this evening, but I've also read the lease on prior occasions. I can't disagree with what Mr. Szefi is saying. I think clearly 2901, 102 clearly within the lease. If 107 --- if they're going to make that change, if Range has agreed to do that, that takes care of 1.07. 1.08 and 25.01, as Mr. Szefi said, you can rearrange those by words any way you want to but the meaning's not going to change.

MR. ELLENBOGEN: You know, please forgive me if I'm putting you guys on the grill, but you know, my job as the public safety chair is to make sure that I can make the public as safe as I possibly can. That's what I'm doing. So don't take it personal.

PRESIDENT DEFAZIO: Heather?

MS. HEIDELBAUGH: Well, I'd like to address one comment that you have, Jim. We all were offered the opportunity to use our own personal funds or use our expense account to hire an attorney. I never met this man. I don't know him. He's a landowner's attorney. He comes from a firm which isn't totally Democrat or totally Republican. And he was willing to put his name on a piece of paper and be subjected to questioning. Okay. There is no other written opinion other than that from the administration side. This is the only document that we have from counsel. Okay. So I have read the lease as a lawyer. I have hired independent counsel. Independent counsel who has no bone in this fight at all has issued these things. These recommendations, this letter, which has about 50 recommendations, are not part of the amendment. Only these most crucial items that we've listed here.

Now, as the public safety chairman, most of my complaints about this lease are that we didn't negotiate a good enough deal because we had the stronger position. Okay? But the thing that you should be most concerned about --- which we all recognize is that occasionally mistakes are made. Occasionally groundwater is affected. What I'm attempting to do is say, okay, all right, you say you have a great history, you don't affect groundwater, but if you do, if you affect groundwater, you have to make

it right. You can't allow people not to have water like the people I saw down in Washington County, a 90-year-old woman who hasn't had water for seven years. Okay? And if this --- if the groundwater is affected --- because this is all wells up there, Jimmy, they're going to look to you. I'm not saying don't do it. I'm saying if you affect the groundwater, you have to come in as a big company and you have to make it right for the people you affect. You say you won't, so hey, no harm, no foul. But if you do, you got to make it right. Because poor people can't hire lawyers.

PRESIDENT DEFAZIO: Let me say this. We have to speak only on your amendment.

MS. HEIDELBAUGH: I am.

PRESIDENT DEFAZIO: Okay. Isn't that covered under what I had put in there about the water?

MR. SZEFI: Yeah, it's in the ordinance that you've put --- the groundwater provisions are attached to the ordinance --- hold on. And the groundwater provisions themselves are in the lease which expands groundwater testing in section 8.1 and 1.2 of the lease. Now, largely, groundwater is governed by DEP regulations. That's 100 percent true. And just like in our lease, it says --- and this language that's taken from Act 13, which says that if they do harm groundwater, they have to take commercially reasonable actions to restore quantity and quality of the water affected --- affected water supply to as near the condition as determined by the predrilling or pre-alteration survey. It's practicable. And the reason that's important in our lease, we've expanded those predrilling and pre-alteration survey requirements from 2,500 to 3,500 feet. So the groundwater protections --- and this is not --- mind you, this is not something you get that --- if you look at a normal, nonsurface lease that is anywhere in it.

PRESIDENT DEFAZIO: Go ahead.

MS. HEIDELBAUGH: This is your language. In the event that a determination is made that the quality of public or private water supplies have landowners or/and water purveyors in Deer Lakes on lands subject to the lease or on other lands has been degraded, it shall be presumed that Range is responsible for pollution of said water supply if the water supply is within 3,500 feet of the vertical well bore. Okay? That is not the entire range of the park.

MR. SZEFI: No. 3,500 feet depends on where the well bore is. That's right.

MS. HEIDELBAUGH: Of course. It's on the Gulick Farm. It's within 3,500. Our park is 1,100 acres.

MR. SZEFI: That's true.

MS. HEIDELBAUGH: And it gives the groundwater ---.

MR. SZEFI: And it will be accessed from not just one well pad. So you have to take --- we don't know where the other well pad is.

MS. HEIDELBAUGH: Well, tell us.

MR. SZEFI: I don't know where it's going to be, either, Councilwoman. I just know it's not going to be in the park. But that is the length --- the 3,500, we wanted them to expand from the 2,500, and that is the negotiated --- that's the place that we got to, 3,500 feet.

MS. HEIDELBAUGH: I know the place you got to, but you can't say it's protected when it's not.

MR. SZEFI: There are no water wells in the park. No one gets groundwater from the park. There are surface water testing in the park.

MS. HEIDELBAUGH: There's groundwater under the land.

MR. SZEFI: That's true. That's true. Though there are no water wells in the park that people get water from.

MS. HEIDELBAUGH: There's water under the land.

MR. CAMBEST: That's very true. There's aquifers under all land.

MS. HEIDELBAUGH: All right. So this lease doesn't protect it, ---

MR. CAMBEST: I disagree, but ---.

MS. HEIDELBAUGH: --- the park. It doesn't. It's the language right here. You're a lawyer. And it only says within 12 months.

MR. CAMBEST: And I would agree with you --- if people got groundwater from the park, that would have been more of a priority on negotiations. But surface water is what's present in that park. And so that was our focus.

MS. HEIDELBAUGH: No. There's surface water and there's groundwater.

MR. SZEFI: Okay.

PRESIDENT DEFAZIO: Hold it. Mike?

MR. SZEFI: I respect, yeah, I do. I hear your

point. I respectfully disagree that the lease does not sufficiently address water.

MR. FINNERTY: If we take a look at the lease and go to page 51, it talks about environmental protection controls. And it lists a great number of oil and gas manuals, bureau, blah, blah, blah, et cetera. So if you take a look at page 51, page 52, page 53, page 54, page 55, this is all about environmental protection controls that are specified in the Federal Transportation requirements, some of them, Pennsylvania Code, talk about water resources.

PRESIDENT DEFAZIO: Mike?

MS. HEIDELBAUGH: What section?

PRESIDENT DEFAZIO: Read that section again.

MR. FINNERTY: It's page 51 of the lease.

MS. HEIDELBAUGH: Give me the section.

MR. FINNERTY: Section 2.1. It's to environmental protection control. It's page 51.

MR. CAMBEST: It's under Exhibit C.

MS. HEIDELBAUGH: Exhibit C?

MR. FINNERTY: Not of what I got.

MS. HEIDELBAUGH: No, he said the lease. It's not the lease.

MR. CAMBEST: It's attached to the lease.

MR. FINNERTY: It is. It's attached to the lease. This is the whole lease. This is everything. It starts with compliance with environmental provisions and applicable law.

MS. HEIDELBAUGH: Okay. Go ahead.

MR. FINNERTY: Okay. I'm saying that we have a lot of protections here in relation to the Federal Transportation requirements, the Commonwealth of Pennsylvania requirements, Pennsylvania Code, Hazardous Waste Management, Residual Waste Management, compliance with laws, rules, regulations. And it goes on. There's about four pages that we're talking about all the environmental protection controls that have to be maintained here. So I mean, it is kind of all inclusive.

PRESIDENT DEFAZIO: Heather, go ahead.

MS. HEIDELBAUGH: Mr. Finnerty, I believe what you're referring to is, Exhibit C states all the rules that the company who operates in this area has to comply with. There are massive rules and regulations, not only by the Department of Transportation in regard to trucks but by OSHA, by the Department of Environmental Protection

for oil and gas. Of course, this is a heavily regulated industry. None of what I've said has anything to do with that.

PRESIDENT DEFAZIO: Well, look, you heard from the solicitor. You might disagree with him, he disagrees with you. We have to move on. People have other questions. Go ahead.

MR. KRESS: Andy, I got a question for you. In parts of the lease, if the water isn't (sic) contaminated, don't we have remedies against water contamination within the park?

MR. SZEFI: Yes. Sure. If the park water gets contaminated, they have to either remedy the contamination and pay us damages or pay us the costs of remedying that contamination. That's right.

MR. KRESS: But don't they have to discontinue? Because I see this in paragraph 32.03 that, you know, we can go to court. They would have to discontinue that activity. Because I thought we basically --- if they're contaminating the water in the park, we can go to court.

MR. SZEFI: I think that's the general remedy section. Sure. That's correct. For any breach there's a procedure to address it.

MR. KRESS: Thank you. That's part of the material default section which you had that in section 41.

MR. SZEFI: Correct.

MR. KRESS: 41.10, so ---.

MR. SZEFI: Correct.

MR. KRESS: Okay. I just want to make sure that if, in fact, they are polluting the water, we can stop them from operating underneath the park.

MR. SZEFI: It's under default. Correct.

MR. KRESS: Thank you.

PRESIDENT DEFAZIO: Sue?

MS. MEANS: Thank you. It appears to me that section 8.1 when it talks to water quality, is less than the state statute, less than the protective ---. This lease, the words in this lease, are less protective than the state statute. For instance, 8.01.1, lessee's operations in the unit of which the leased premises are a part and whole shall not be materially adversely affected. Well, my understanding is the way it's stated --- I'm sorry, what am I doing wrong here?

PRESIDENT DEFAZIO: No. Go ahead. You have the floor.

MS. MEANS: All right. Is that it can --- there can be no water pollution at all, where this gives Range Resources more latitude because it makes a lower --- you know, it makes it not materially or adversely when it's supposed to be no pollution at all. Also, this part in eight doesn't deal with quantity, it only deals with quality. And again, when you tap into an aquifer you can affect the quantity of water so the amount of water in the lakes may be impacted. Again, this doesn't address this.

MR. SZEFI: Well, you're incorrect in that 8.01.1 that you're reading from doesn't address groundwater. That's a surface water provision, and there is no requirement in the law for surface water testing. That whole section is over and above state law.

MS. MEANS: And then we go to --- I disagree, 8.01.2, there it is. I'm sorry, that's where it says, quote, in the event of --- a determination is made that the quality of the public or private water supplies of ---. So that's where the word quantity should be, to protect the quantity. And then this whole paragraph is moot. I don't even know why it's in here because the last line it says, such surface waters are used for domestic consumption. There is no domestic water on the park.

MR. SZEFI: That's right.

MS. MEANS: So why is this even in here?

MR. SZEFI: Because that's for groundwater. 8.01.2 is groundwater only. 8.01.1 is surface water. Okay? So the domestic consumption part is only in 8.01.2 because that's groundwater. That's where well water comes from. 8.01.1 is surface water.

MS. MEANS: Well, if you cared about groundwater, you would have groundwater monitors in the lease and there are none.

PRESIDENT DEFAZIO: Go ahead.

MS. HEIDELBAUGH: I'd like to address the question Mr. Kress had and the answer Mr. Szefi had. In 41.1, it says material event of default, it basically means the failure to pay for more than four consecutive months. And for failure to take such actions to restore the quality of the surface waters to their preoperations. It says nothing about groundwater.

MR. SZEFI: Or the failure to take commercially reasonable actions to restore the quantity and quality of the affected water supply to as near to the conditions as determined by the predrilling and pre-alteration surveys

practicable, pursuant to section 8.01.2 which is the groundwater section.

MS. HEIDELBAUGH: Let me ask you this. If this is already in here, then why can't you add this to my amendment? Why can't you shore up this section which doesn't say the one I'm asking you to shore up?

MR. SZEFI: I think that --- we sent this to Range. I've looked at it, too. I feel that these concerns are addressed, so do they. And that is where they're at. They feel and I feel we have drafted --- this is a nonsurface lease, probably the most comprehensive nonsurface lease in the state. And they have --- you know, there's a lot of concessions. People don't want to hear that, but there are. And it is a good nonsurface lease with good economic terms and good protections. Those protections go away if we have no lease. So that is where we are.

PRESIDENT DEFAZIO: Mike.

MR. FINNERTY: I'd like to call the question.

MR. CAMBEST: Only the question on the amendment.

PRESIDENT DEFAZIO: On the amendment?

MR. FINNERTY: On the amendment, correct.

PRESIDENT DEFAZIO: Okay. Make a roll call. Is there a second? Anyone second it?

MR. ELLENBOGEN: Second.

MS. HEIDELBAUGH: Can I say one thing before we vote? I can't say one thing before we vote?

PRESIDENT DEFAZIO: No. You're ---.

MR. CATANESE: This is to call the question.
Mr. Baker?

MR. BAKER: No.

MR. CATANESE: Ms. Danko?

MS. DANKO: Wait a minute. Tell me what we're voting on.

MR. CATANESE: Just to call the question on the amendment.

PRESIDENT DEFAZIO: In other words, ---.

MS. DANKO: Do we want to keep talking on the amendment? No.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: No.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: No.

PRESIDENT DEFAZIO: Wait a minute. Whoa. Let's back up. Amanda --- and you can talk to the solicitor. You said you're not allowed to be involved because of your husband; right?

MS. GREEN HAWKINS: That's not what I said. I think that's an overstatement.

PRESIDENT DEFAZIO: Well, what did you say?

MS. GREEN HAWKINS: What I said was that I have a conflict of interest based on my husband's business partners with private interests, which include ownership of Range Resources. And I was under the impression from prior conversations that procedural issues were okay for me to vote on. And if that's not the case ---.

PRESIDENT DEFAZIO: It's in black and white here, but let the parliamentarian --- is she allowed to vote on these issues or she has a conflict?

MS. GREEN HAWKINS: On the issue of calling the question.

MR. CAMBEST: We agreed. Yeah. We agreed. That's all. We agreed.

PRESIDENT DEFAZIO: Oh, okay.

MR. CAMBEST: I think you have to be very careful with anybody on Council. If they're ultimately going to vote and there's a conflict of interest, even on the original bill, be very careful if you're voting on the amendment, proposed amendment.

MS. GREEN HAWKINS: Which I am not.

PRESIDENT DEFAZIO: Right, you can't vote on the bill or amendment or on your ---.

MR. CAMBEST: But to procedural issues, on the call of the question or even discussion, you can talk in the discussion. Just be very careful on your vote.

MS. GREEN HAWKINS: And I'm well aware of that. Thank you, sir.

PRESIDENT DEFAZIO: Amanda.

MS. GREEN HAWKINS: Yes, sir.

PRESIDENT DEFAZIO: Just to let you know, I actually have the final say on calling the rules of order. He's the parliamentarian. But I actually ---.

MR. CAMBEST: I just give advice.

PRESIDENT DEFAZIO: I do that just to be --- so people don't ---.

MS. GREEN HAWKINS: But it's up to me whether or not I'm going to violate ethical rule or anything like that.

PRESIDENT DEFAZIO: No, we're not going to let you violate it.

MS. GREEN HAWKINS: And I'm just saying I understand and I was voting on a procedural issue and not on the bill itself.

PRESIDENT DEFAZIO: But you are not --- again, you can't vote.

MS. GREEN HAWKINS: I do know that. But thank you.

PRESIDENT DEFAZIO: Yeah, you can't vote on hers or his. That's all.

MR. CATANESE: May I continue? Ms. Heidelbaugh said no. Mr. Kress?

MR. KRESS: No.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Yes.

MR. CATANESE: Ms. Means?

MS. MEANS: No.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. CATANESE: Ms. Rea?

MS. REA: No.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Nay.

MR. CATANESE: Mr. DeFazio, President?

PRESIDENT DEFAZIO: Yes.

MR. CATANESE: Yes, 7, nos, 8, it fails. Keep going.

PRESIDENT DEFAZIO: Go ahead. She has another question. Go ahead.

MS. HEIDELBAUGH: Well, what I wanted to say now that I have the right to say that, is that I'm asking my colleagues that even if you ultimately want to vote no on the underlying ordinance, I'm asking you to vote yes on this, because I think it makes the ordinance better for the people. If this is ultimately going to be forced into a yes, this will make it better.

PRESIDENT DEFAZIO: Amanda, then Sue.

MS. GREEN HAWKINS: Thank you. What I've been wanting to say is that my husband's business partnerships and private interests include ownership of Range Resources' stock. And based on the advice of Counsel, I have a conflict of interest with the referenced legislation because of the benefit or private pecuniary benefit that this matter can have for my husband. Accordingly, I will be abstaining from the vote and the legislation on any proposed amendments at the appropriate time. I'm doing this because the State Ethics Act prohibits me from engaging in conduct that constitutes a conflict of interest. And the County Ethics Code does as well, as well as specifically saying that no elected county official shall attempt to influence the course of proposed county council legislation in which a family member has a private interest, direct or indirect. Thank you.

PRESIDENT DEFAZIO: Sue?

MS. MEANS: I would like to vote for Heather's amendment because I think it makes it better, especially because I would like to strike the language that we did our due diligence, that the county did their due diligence. But I have another question. And that is a comment that Range Resources gave us their final offer on April the 29th. They didn't show up to talk to us about the lease. They totally disrespected us, disregarded us and didn't show up. They showed us how they feel about us when they walked away on April the 29th and didn't show up at our opportunity to ask questions. They told us the negotiations were over.

(Applause)

PRESIDENT DEFAZIO: Go ahead.

MR. BAKER: Thank you, Mr. President. My question is, and this might be --- I'm one of the newest members on Council. My question is why --- and there might be a very obvious reason for this. I had to tell my office yesterday that I --- and I've told both newspapers that I would be a yes vote on the ordinance. I know it's not going to make me any friends in the room, but I did share it with Ted, who has become a good friend throughout this process. Sorry, Ted, if that makes you unpopular. But I've been sharing with everyone I'm a yes vote on the ordinance, absolutely. I've been sharing that with the media, with everyone. With Ms. Heidelbaugh, Councilwoman Heidelbaugh's amendment, I guess my question is I just

don't understand why the actual whole deal dies if we vote yes on this amendment. And that might just be routine to politics, I apologize, but why does it die?

PRESIDENT DEFAZIO: Well, if you're asking me the question, ---.

MR. BAKER: Is it business?

PRESIDENT DEFAZIO: No. If you're asking me the question, you heard from the attorney and the county manager ---.

MR. BAKER: Did they say why it dies?

PRESIDENT DEFAZIO: I don't know if they said why because they didn't see it but they said ---.

MS. HEIDELBAUGH: He did. He said they refused to ---.

PRESIDENT DEFAZIO: He said this is it.

MS. HEIDELBAUGH: He said it should be amended.

MR. BAKER: I guess I should clarify. If you --- if I'm a yes vote, I would want to be a vote to pass this later on in the ordinance; right?

MR. SZEFI: Just to answer your question, voting on that amendment requires amendments to the lease. The passage of that amendment sets forth specific terms in the lease. Okay? Requirements of specific terms in the lease which would go back and require renegotiation of the terms of lease. That is what they're saying.

MR. BAKER: And your feeling is that this could ---?

PRESIDENT DEFAZIO: Now, isn't that exactly what I was trying to say to everybody? I said they said that was it; am I right?

MR. SZEFI: That is correct.

PRESIDENT DEFAZIO: They said this is it in negotiations. So we might have a deal. We might or we might not have it. That's the difference. You have another question?

MS. MEANS: It's just basically a comment that I won't be voting for this amendment even though I think it's better because I --- you know, it doesn't go far enough, the lease and the ordinance are not even close to what I would like to see.

MR. FUTULES: Heather, I'm not saying that your amendment is bad. But what we're saying is if we vote yes on this amendment, we could squash the deal completely.
(Applause)

PRESIDENT DEFAZIO: All right. Are we ready for a vote, Mr. Clerk?

MR. CATANESE: The vote on the amendment, on Councilwoman Heidelbaugh's amendment.

MR. CATANESE: Mr. Baker?

MR. BAKER: No.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: No.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: No.

MR. CATANESE: Mr. Futules?

MR. FUTULES: No.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Abstain.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

MR. CATANESE: Mr. Kress?

MR. KRESS: No.

MR. CATANESE: Mr. Macey?

MR. MACEY: No.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: No.

MR. CATANESE: Ms. Means?

MS. MEANS: No.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: No.

MR. CATANESE: Ms. Rea?

MS. REA: No.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Aye.

MR. CATANESE: Mr. DeFazio, President?

PRESIDENT DEFAZIO: No.

MR. CATANESE: Ayes 3, nos, 11, it fails.

PRESIDENT DEFAZIO: We have to deal with Mr. Robinson's amendment.

MR. ROBINSON: Thank you, Mr. President and members of Council.

PRESIDENT DEFAZIO: Page six is missing. Bill, I don't know if you want to speak and then get the papers?

MR. ROBINSON: If I might just make a couple comments, I don't want to prolong anything. I understand that page six is not available. I'm going to presume that Mr. Barker or Mr. Szymanski will have that available for

members. Let me state about my motivation and hopefully they will be back in the room and page six will be available.

As Council is aware, pursuant to information I provided to each of you I put a request for information to the Fitzgerald Administration relative to this total issue. That request for information pursuant to the law was denied. Members of this Council, the media and anyone else who is interested have been given in the last two or three days access to that request and the response of the administration. As the first reason I'm offering the amendment, vital information was not provided by way of a communication I had with Mr. Fitzgerald directly, a written communication, a copy of which can be provided if you'd like to have it. And subsequent to that, my right to know request pursuant to the law was sent to the Fitzgerald Administration to the appropriate person, and that request was denied. That's contrary to some public statements that had been made about members of Council being invited to participate in the negotiation of this lease. I wasn't one of those persons. I couldn't even get basic information.

The second reason, our Chief Executive, Mr. Fitzgerald stood right there at the end of my finger and said there were four major points in his request for a proposal. And one of those was minority and women's business development. To this day, neither Mr. Fitzgerald or anyone in his administration has forwarded anything to this Council to confirm what he said. And we have been unable to get from him or his administration the request for a proposal. In fact, several of his authorized representatives have said that information would not be provided. This is all documented.

My last reason for offering the amendment is we have a community college which is one of the most outstanding community colleges in the United States of America by any measurement, measures of the community colleges. They have a robust training program in gas and oil drilling. The community college has been left out of the loop. It seems to me that the \$27 million plus investment we make in the college every year should return more than it does. And he was a prime opportunity to train people for the jobs that our friends and neighbors, some in labor, say would be produced and have been produced. Why are we using the Penn State University?

Why aren't we using at least --- at least in some instances community college?

Also I am personally offended as a leader of the black community that Mr. Fitzgerald would stand before us and suggest that this proposal was going to benefit people who look like me. If that is true, and maybe it is, he has not submitted one bit of information to this Council to confirm that. In the street, folks will say he played us. I resent that. If it's not going to help black people, then don't involve them. He hasn't mentioned the word black, African-American, colored or Negro since he stood at the end of my finger. I resent that. Those are the reasons I have put this amendment together. If Mr. Barker or Mr. Szymanski are back in the room and page six is available, Mr. President, and if you allow them to circulate it, then I would be more than happy to move forward.

PRESIDENT DEFAZIO: Well, as soon as they get here, we're going to circulate it.

MR. ROBINSON: Let me then also say that it seems to me that this amendment strengthens what is being proposed by the Fitzgerald Administration and obviously embraced by a number of my colleagues in attempts to make a bad situation better. These are conditions --- this is different from what Ms. Heidelbaugh has suggested. These are conditions upon which this Council would approve the use of land under Deer Lakes Park. These are conditions. And the amendment speaks specifically to that issue. Every member of this Council has had this amendment for well over a week. It's been available to the general public. It has not changed since I sent out my first press release indicating I was going to offer an amendment. It's the same. No changes whatsoever.

MR. FINNERTY: Mr. President, if I might?

PRESIDENT DEFAZIO: Yeah, sure.

MR. FINNERTY: I'd like --- could we take a look at the lease on page 28? It's 24.01. It's called --- it's Diversion, Small Business Participation and Job Fairs. It goes from 24.01 to 24.04. And because it says lessee ---

MS. HEIDELBAUGH: 34.01.

MR. FINNERTY: --- I'm sorry, 34.01, lessee shall provide maximum practical contracting opportunities for diverse small businesses which include minority-owned businesses --- and I'm on page 29 now --- women-owned

businesses, enterprises and veteran-owned business enterprises collectively. And there's quotes, diverse small businesses. 02 talks about lessee shall maintain a policy prohibiting discrimination in employment and contracting based on gender, race, creed or color. 34.03, lessee shall use the database available on the Pennsylvania Department of General Services to identify certified diverse small businesses as potential contractors, subcontractors, suppliers, for opportunities related to the extraction of oil and gas within Allegheny County, Pennsylvania. And 34.04, lessee shall participate in two or more job fairs related to employment in the field of oil and natural gas during the primary term of this lease. Such job fairs shall be held at locations within Allegheny County, Pennsylvania, that are agreeable to the lessor. So there are a few things in there in relation to this. There are dispute resolutions. And if you turn to page 30, nondiscriminatory discrimination clauses there. So there are a few things that are in this lease that refer to this.

PRESIDENT DEFAZIO: Let me say this first. Why don't you make the motion to amend?

MR. ROBINSON: Motion to amend.

PRESIDENT DEFAZIO: Do I hear a second?

MS. DANKO: Second.

PRESIDENT DEFAZIO: Other remarks?

MR. ROBINSON: If I might just briefly respond to Mr. Finnerty, I appreciate his diligence in reading the amendment. If he will look on page five of the amendment, under section K, I think he will find that I'm requesting a detailed plan that has to be in the lease and attached to the legislation. This lease that we are referencing has not been signed. It has not been signed by the Chief Executive and has not been signed by this County Council. So we're talking about something that might happen in the future. If this lease has already been signed by the Chief Executive, we've been played again. He may be sitting over there with a pen in his hand getting ready to sign some document after we give him authorization. But what's before us, trust me, ladies and gentlemen, this is not the lease. And even if we try to amend it, there are provisions in this so-called lease that give to the Chief Executive the ability to negotiate, to renegotiate and sign an actual lease. If this is the lease, then I'd like Mr. Szefi to come forward along with Mr. McKain and tell

us this is the lease that's going to be signed and it will not be changed.

PRESIDENT DEFAZIO: Barbara Danko?

MS. DANKO: My question had to do --- I listened carefully to what Mr. Finnerty read and I had previously read it, about the obligations of the lessee. What does maximum practicable mean legally? You read it.

PRESIDENT DEFAZIO: Everybody read it.

MS. DANKO: I mean, perhaps our legal counsel can tell us if there's a legal definition that goes with maximum practicable and what it is.

MR. CAMBEST: I think what you have to do is not only look at the clause that Mr. Finnerty indicated, you also have to look at Exhibit E which fleshes out the nondiscrimination clause that is attached to the lease. I think that will help give you that definition you're looking for.

MR. ROBINSON: That's why you need a detailed plan. Because there is an apparent contradiction between nondiscrimination and this involvement of minorities and women and veterans, which honest face suggests something that's illegal. For those who are anti-affirmative action, you know where I'm going with this one. I would suspect that this is the best attempt to satisfy the law of the land, and at the same time be true to the concept of being inclusive and diverse. And I'm saying fine, where's the plan to make this happen that will not violate the law, yet allow you to be inclusive and diverse? And I'm suggesting that we have not received anything from the Fitzgerald Administration or from Range Resources that, in fact, a company has been picked that has no history of doing business with minorities and women. They've probably done some business with some white veterans. Let's keep it real. I'm saying let's have some conditions.

I'm basing this on what Mr. Fitzgerald said at the end of my finger, not what I said. This is his issue. He brought this up. He put this on the table. He said Huntley and Huntley and Range Resources were going to address this issue in the request for a proposal about MBE/WBE. We don't know whether they or they didn't because we can't get the information from the Fitzgerald Administration. They won't give it to us. Even when you file a Right to Know request, they say no. They said no to Ms. Means, they said no to me. They said no to

everybody who didn't do it their way. They have two ways of doing things, their way and their way. And I'm saying, fine. Stand behind what you have said you're going to do and ask the people who are doing business with you to stand behind you. And if you're speaking on behalf of this county because you believe we have a policy to include minorities and women and veterans, et cetera, then ask that company to fill out all the papers and give us a detailed understanding of what they will or will not do. Why select a company that has no history in this area? The only reason I can think you'd do that is this is not important enough to have them at least fill out the paperwork. I'm asking now for the detailed plan.

PRESIDENT DEFAZIO: You were headed up here before I stopped you with another question. Do you want to come up and answer any of this?

MS. DANKO: Perhaps he could talk about the details that go with --- I mean, it basically says you have to attend two job fairs. That could be putting out a couple of brochures at a job fair and it doesn't really address hiring.

MR. SZEFI: No, it's not going to address hiring. No one is going to sign a contract and say here's who you have to hire. And furthermore. I think it's very problematic to put in here --- I'm just quoting, that you have to hire and train black people and minorities. In an ordinance, highly problematic, when you've got conditions that say you have a nondiscrimination clause and you've got other provisions in a lease that say you are prohibited from discrimination in employment contracting based on gender, race or color. Those two provisions are going to be contradictory.

MR. ROBINSON: Precisely, Mr. Szefi. Why did you negotiate a contract with that kind of nonsense in it?

MR. SZEFI: No, no. What's contradictory is the lease and your amendment.

MR. ROBINSON: I never have requested Range Resources to hire one black person or one veteran or one disabled person. That is a misrepresentation. I'm talking about minority business, women-owned businesses and businesses owned by people who are disabled who are veterans. Mr. Fitzgerald, standing basically where Mr. McKain was, on the record, said this was important to him and it was one of his four main points. But he hasn't said anything since, nor do we have any documentation that

he took it serious. That's what I'm talking about. I haven't asked anybody to hire any black people. No, I have not.

MR. SZEFI: Okay. I think this ordinance amendment would present legal problems for a number of reasons. And furthermore, if this were the ordinance that were passed, no lease with these provisions would be signed.

MR. ROBINSON: Why is that?

MR. SZEFI: Because no one is going to be dictated to as to who they're going to hire.

MR. ROBINSON: Well, then, you need to talk to Mr. Fitzgerald and ask him why he represented that this was important. Because this Council is proceeding on the presumption that what's in the document that you read from and Mr. Finnerty read from addresses my concern. I'm saying it's contradictory and it doesn't address my concern.

PRESIDENT DEFAZIO: Okay.

MR. SZEFI: I understand.

PRESIDENT DEFAZIO: Any other questions?

MS. HEIDELBAUGH: Is this the final lease, Mr. Szefi?

MR. SZEFI: Here's what would happen for ---. If the lease were amended in the future, it can be amended in two ways. Anything that's in the ordinance that requires coming to Council ---.

MS. HEIDELBAUGH: That's not my question. I want to know if there's anything else coming before Mr. Fitzgerald --- if we vote yes is there anything else coming --- no, no, we've both gone over that. You've explained law to me, okay, which has been really helpful. You explained to me that it takes two parties to change --- to the contract and I appreciate that. But what I want to know is simply the question that's been asked, which is --- if you can answer this question. Do you know, either one of you, if there are any other changes coming, that you know of to this lease? Is this the final lease that he is going to sign?

MR. SZEFI: The change that I described to you about, wells capable, that they agreed to put in, okay, that's one. The only other possible change is that is being discussed is clawback language with regard to the --- not Statute of Limitations, but the language in 38.08

about in the event litigation. And that is not a provision ---?

MS. HEIDELBAUGH: Well, what is that?

MR. SZEFI: What that says is it affects what happens in the event of a lawsuit. It's already in the lease, and that's called ---.

MS. HEIDELBAUGH: I know what clawback is. I appreciate your definitions of the law to me, they're helpful, but what do you mean when you say clawback?

MR. SZEFI: Tolling provision would be a better term, 38.08, the tolling provision.

MS. HEIDELBAUGH: Tolling provision for what?

MR. SZEFI: Tolling provision in the event of litigation.

MS. HEIDELBAUGH: Tolling for who?

MR. SZEFI: Tolling of lease obligations, tolling, meaning ---.

MS. HEIDELBAUGH: You've agreed to that?

AUDIENCE MEMBER: You don't even know what you're signing.

PRESIDENT DEFAZIO: Hold up. You can't be --- he has to answer her.

MR. SZEFI: Let me just find the section. It's in the original, 38.09. 38.09 has been in the copy, tolling during dispute. That is in there. I'm sorry, 38.09 is in tolling during dispute. It is in the lease that you have.

MS. HEIDELBAUGH: So you're not adding anything?

MR. SZEFI: I have no knowledge of any other changes.

MS. HEIDELBAUGH: But we don't have --- as we're voting tonight, we don't have the final lease?

MR. SZEFI: There's no final lease until someone signs it, number one. The only change I'm aware of is the one I represented to you. It was made as a result of your request to them about having the wells capable language. And they agreed to that clarification, not change.

MS. HEIDELBAUGH: Mr. Szefi, please be fair with me. That is not what I requested. What I requested was production in paying quantities. I did not request what you're saying.

MR. SZEFI: Fair enough. It was changed in response to the issue you raised.

PRESIDENT DEFAZIO: Anybody else? Seeing none, take the vote.

MR. CATANESE: The vote is on Mr. Robinson's amendment. The vote is on Mr. Robinson's amendment.

MR. CATANESE: Mr. Baker?

MR. BAKER: No.

MR. CATANESE: Ms. Danko?

MS. DANKO: No.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: No.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: No.

MR. CATANESE: Mr. Futules?

MR. FUTULES: No.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Abstain.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

MR. CATANESE: Mr. Kress?

MR. KRESS: No.

MR. CATANESE: Mr. Macey?

MR. MACEY: No.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: No.

MR. CATANESE: Ms. Means?

MS. MEANS: No.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: No.

MR. CATANESE: Ms. Rea?

MS. REA: No.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Aye.

MR. CATANESE: Mr. DeFazio, President?

PRESIDENT DEFAZIO: No.

MR. CATANESE: Ayes 2, nos, 11, with one abstention, it fails.

PRESIDENT DEFAZIO: Okay. Now, we're on the main motion.

(Outbursts from audience).

PRESIDENT DEFAZIO: Hold on. We got to run a meeting. Respect the people. They're allowed to vote and think on their own or whatever you want to do, they do it.

PRESIDENT DEFAZIO: Nick, your motion.

MR. BAKER: Mr. President, would it be okay if ---?

MS. DANKO: No, it's okay. It's all right.

PRESIDENT DEFAZIO: You can put a vote down.

MR. FINNERTY: Did you make a motion? We've got a motion and a second already. I seconded it.

MR. FUTULES: It was already made.

PRESIDENT DEFAZIO: All right. There's a motion and a second. Other remarks? Sue?

MS. MEANS: This is where we get to discuss this bill?

PRESIDENT DEFAZIO: Yes.

MS. MEANS: All righty. Hey, it's ten after 11:00. I want to thank the Protect Our Parks people for making great lists of what due diligence looks like. I want to cite Judge Castille's ruling on Act 13. And you know, it's interesting that the members of Council all gave him an award for being a great judge a couple of weeks ago. But his words don't seem to stir anyone. He said, for example, a trustee of the Commonwealth has a duty to refrain from permitting or encouraging the degradation, diminution or depletion of public natural resources whether such degradation, diminution or depletion would occur through direct state action or indirectly because of the state's failure to restrain from actions of private parties the potential to affect the reserved rights of every citizen of this Commonwealth now and in the future. So Robinson vs. the Commonwealth, to do due diligence we have to really consider the environment. That is our responsibility as trustees of public land. Our number one priority is not to make money. That's not our number one priority. We are to protect the land.

So I would like to say for the record that we do not know where the other two well pads are. And we cannot determine the environmental impact on our lands if we do not know where the other two well pads are. And I would like to correct Mr. Futules because we have never had a hydrogeologist appear in front of us. We have not. I don't know who you think was a hydrogeologist but we did not have it. Now, what I would like Mr. Barker to do is to pass out this chart that shows saltwater vs. fracking water, that's the middle column, and what well water did look like. Okay? Then the other two things I want to pass out are these maps. They're topographical maps. One is gray and one has color. Now, the reason why we need to know where the other two well pads are --- and we have not done our due diligence concerning the environment because we do not know how the surface --- okay, water and air are

both fluid. And we need to have a water study, modeling study, and an air study to realize will the water and the air go on to park property? So if you look at this map, I mean, this one's kind of --- you know, you can look at this. It's a topographical map and it has numbers on it.

So it is clear to me when I looked at this map that there are places that are equal to or higher than the park property surrounding the park property. So therefore, if a spill would happen, that water would run onto park property. Now, I have heard testimony from Range Resources. And they have told us that it's only salt water. It's only salt water. It's no more dangerous than the salt they spread on the road. Mr. Ellenbogen, you're worried about health issues. You know, at my informational meeting I had the doctor, the Dean of the Graduate School of Public Health. And it was so wonderful. He had with him that day, just happened to be the Director of Environmental Studies from West Virginia University, who just completed a two-year study because he was commissioned by the State Legislature in West Virginia to study the impact of the environment and on occupation. So one of the interesting things he said, as I segue a little bit off to the side, is 650 feet is not far enough. And Act 13, boys and girls, was struck down. It was struck down.

So we have no state requirement on how far a structure can be from a fracking. And by the way, in our lease, we do not have a setback. So also, we don't know where those other two well sites are going to be. They could put those well pads right next to a park. And here is the documentation. Again, I had Professor Stolz from CMU help me make the topographical map and he also gave me this again. It's Professor Stolz, I'm sorry, from Duquesne. And he was here, you missed him, too, to explain that this is not sodium content in seawater you can see milligrams per liter. Okay. Seawater is 10,800 and fracking water is 40,000 milligrams per liter. And which we got this --- if you read the paper on Saturday you saw the fracking water up in Mt. Pleasant is radioactive. And this is new technology. This is brand spanking new technology. And the reason why West Virginia University commissioned a study is because they want to study the impact.

So Act 13 was declared unconstitutional. We do not have the setback in our lease. We know the water is

bad news. Otherwise, they wouldn't call a HazMat team to scoop it up when five gallons hits the ground. And we do not know where the well pads are. So there's probably like ten other things I could say, why we haven't met our due diligence. But I want to say this. The question here today is not do we support Marcellus Shale drilling and the industry. Well, I even have evidence. When I ran for the House of Representatives, the bottom of my little card that I passed out to people's houses, it's a little scratch pad that says, energy independence means jobs for Pennsylvania.

The issue is not are we supporting Marcellus Shale or it's going to create jobs. We heard from the Range Resources' senior vice president, no jobs will be added. The issue isn't do you want to have --- do you want to join us, we're in the area and we're drilling and we're going to make some money? Do you want in on the deal? No. That's not the issue. The issue is is it constitutional? I ran for office because I wasn't going to sit home and watch my country go down the tubes. I ran for office because I made a pledge, first, to be an independent voice. Nobody owns me. No one owns me.
(Applause)

MS. MEANS: I am here to protect freedom, preserve liberty and protect and preserve the Constitution. These are not mere words to me. I took an oath of office. You all took an oath of office, every one of you. And you gave Castille an award. Now, you decide if his words mean a thing to you. Thank you.
(Applause)

PRESIDENT DEFAZIO: Heather Heidelbaugh, Jim Ellenbogen and Mr. Robinson. Go ahead.

MS. HEIDELBAUGH: Many months ago, Nick Futules, when commenting on an unrelated issue, provided us all with notice for the first time that the County Executive had been in negotiations to lease a park for oil and gas drilling. We only found out about this by an inadvertent disclosure. Since that time, I've attempted to educate myself on the proposal. Pursuant to this process, I've done three things basically. I've asked questions, I've read almost all of the materials sent to me, and I have demanded respect for people that come to these meetings. For those three things, I've been labeled an obstructionist. I am an obstructionist with Mr. Robinson and Ms. Danko. Good company. An obstructionist actually

has a legal definition, and that is a person who stalls a legislative process. There is not one scintilla of evidence that I have stalled or prohibited a single aspect of the introduction of this ordinance.

So I've been defamed by the Chief Executive. The Chief Executive has made a mistake. He didn't look up or understand or know the true definition of what an obstructionist is. What I am is an elected representative who represents an equal number of people to him. I represent point two million people as well as the Chief Executive. I was elected by the people to question. The people want me to question. No matter what is done to me personally or financially, I swore on a Bible in front of my children who held the Bible, that I will not be compromised. I will not violate my conscience. And I took an oath to do the job as I see fit. I was elected in May of 2010. Shortly thereafter, a meeting was held in which certain members of this body were present and at which it was decided that as soon as I took my seat in November, all measures were to be taken to keep me quiet. Because I want to ask questions I am labeled an obstructionist. I'm not an obstructionist. The County Executive has made a mistake in that regard.

In addition, he's made several other mistakes. The County Executive has said over and over again some key selling points of the lease. Number one, the drilling of the Gulick Farm would happen anyway. I asked the Gulicks when the drilling would start. I went out to their farm. Ms. Gulick told me, and I quote, we don't know, it depends on if you enter into the lease. When she said that, the County Executive and its chief of staff were alarmed and huddled. I asked Mr. Osborne, the operator, if he would drill anyway if the county did not enter into the lease. I asked him three times. He said I can't tell you we will drill anyway. The next week, the operator denied saying that. On the tour, the County Executive told elected --- elected County Councilmembers there were no restrooms other than Johnny on the spots. I came to find out there were five new restrooms.

The County Executive said this project would bring jobs. I asked the senior vice president of the operator, he unequivocally said there would be no jobs. Mr. Kress asked the County Executive to include job fairs. I asked the senior vice president of the operator, and I was told unequivocally there would be no job interviews or

jobs handed out. It was informational only. We were each asked individually to meet with the County Executive, not as a group. Why? Was it to avoid the Sunshine Law requirement? We were asked to submit ideas for the lease. When I asked for a copy of the lease to review because I am a lawyer, 30 years, and then provide suggestions, I was told I would get it later. When I provided the suggestions within an appropriate time period, I was told it was too late. So when I was confronted with all these inconsistencies, my natural inclination is to question deeper and to investigate thoroughly. The more I questioned, the more I was called an obstructionist. So we finally got a copy of the lease in mid-March, then amendments as late as April 8th.

And last week, Mr. DeFazio successfully amended the ordinance. Upon review of the ordinance which does not include the lease and upon review of the lease, I had additional questions. When can we meet with the County Executive to suggest amendments? Too late. Why can't we include the lease into the ordinance? Mr. Szefi said, no, you cannot do that, it's never been done before. That's not true. It has. Why does the lease, which is a written contract, not contain the promises made to us by the operator or the County Executive? Why is there no protections for groundwater? Why did the Parks Committee refuse to allow speakers opposed to this ordinance speak?

Gwen Chute said she said she was alarmed by the lack of a democratic process she witnessed. She is my neighbor. She lives in Mt. Lebanon. I consider all of you my neighbors, but she is my true neighbor. Well, welcome to my world, Ms. Shoop. Are we too stupid if we disagree with the speaker to at least hear them? Are we not in a democracy? Why can't we hear opposition in this Council? What message have we sent to the people that we won't hear opposition? We only hear what we agree with. This process has been a very exact definition of an undemocratic process.

(Applause).

MS. HEIDELBAUGH: We were continually told that Council could not have a lawyer. Our lawyer, Jack Cambest, is a municipal solicitor and said he offered no opinion on the lease except that it was not illegal. Mr. Futules suggested one of us use our expense money to have a lawyer, to hire a lawyer, with a specialty in reviewing oil and gas leases for landowners. I hired Strassburger

McKenna. I told them get me a straight-up opinion, don't slant it pro lease, don't slant it con lease. Don't guess what I want, you tell me what it is. If you come out pro, great. If you come out against, so be it. I received the written opinion on 4/28. I then asked for this. Tell me, in essence, is the lease more good than bad or more bad than good. The response was the lease is more bad than good. And if he were representing a single landowner, he would recommend against signing it. I wrote an editorial in the Tribune Review that was printed this morning that outlined the principal reasons why the lease should not be entered into. I am not against this industry. I do not support a moratorium. I support industry. I'm a conservative Republican. I have spent my life advocating for industry. I would like to address the monetary issues.

We are to receive \$3 million for the park, \$6,000 a year, \$4,7 million for bonus. I have no idea where this money is going. It's not in the ordinance. But I do know that the County Executive will have control over it. We've been told by the Range folks that we should receive \$50 million to \$70 million over a 20-year lease. We've also been told that most of this will be over five years. If it's over five years, that's \$10 to \$12 million a year. \$10 million is eight percent of \$150 million budget one time. Yet today we heard from the head of the energy vision team, Andrea Geraghty, that she expected \$3 million a year. Harry Klodowski, an attorney Ed Kress hired, came and talked to us the other day. He thought the entire lease was worth \$20 million.

Our annual budget is \$850 million. If it's \$3 million, like the head of the energy team said, that's .35 percent of one year's budget. Why did we only have one bidder? The County Executive speakers who have been interspersed throughout the speakers have intimated, and it's been said over and over again, that we will have less taxes. Really? I've been trying for less taxes in this county since the day I was elected. There's no promise we're going to have lower taxes. There is no written agreement there will be no tax increases. I do know promises were made when we enacted a lottery, when we allowed gaming, which addicts women and old people. When we taxed drinks, when we taxed rental cars. We keep taxing the people. There will never be relief until we stop spending imprudently. There will never be enough

money. We need to cut costs. Why don't we have money for the parks? Because we don't fund it. We waste enormous sums of money in this county.

One of the things that has bothered me the most about this process is the quotes that you are environmental wackos.

(Applause).

MS HEIDELBAUGH: I would never be called an environmentalist, although I too care about the water and the air. What I do deeply, deeply --- what has deeply bothered me is that you people who have nothing to gain have come here to do something for the earth. I may disagree with you, but I give you the most respect. And I hate it when people disrespect you.

(Applause)

MS. HEIDELBAUGH: On occasion some of you have been disrespectful to people from industry. And I have asked you to please be respectful to those of differing opinions, and whenever I've asked you to do that, you have done that. We can never get to a solution in this country if we don't listen and are respectful to each other. As part of my due diligence requirement, I was asked by the County Executive to get on a bus and go to Cross Creek Park. I declined this invitation because I prefer to go and see for myself. I did see problems. I did see problems with the water when I went.

So I've come to a conclusion and I base my conclusion ultimately on the actual lease document. I do believe there can be gas drilling in America if it's done safely. If it's not done safely, the operator must pay for all of the damage. My amendment today failed. For the reasons as I have stated in the editorial and because my amendment has failed, I do not believe this lease is in the best interests of my neighbors.

PRESIDENT DEFAZIO: Jimmy?

MR. ELLENBOGEN: I'm up. You know, I have tried very hard to look at this thing as professionally as best as I can. But when somebody calls me out, I suggest that they know what they're talking about. What's my qualifications? I was the chief of special emergency services for this county. When everybody else was running away during every emergency in this county, I was the chief of operations in the field and put my life at risk more than once and was accommodated for it. I was questioned about silica.

Would you like to know about silica? I believe that the young lady was probably suggesting crystalline silica with a lethal dose of 50 --- over 500 milligrams, okay, but did you know that silica, which is common in everything, it's not sand based, it's quartz based. And being that it's quartz based, it's in everything. The guys that wear a mask when they're doing concrete, they wear it because of the crystalline silica. Okay? Water-based silica, to you chemists, SiO₂. That's the chemical injected --- it's harmless. And did you also know as a nurse that it is used to help the --- relieve dementia patients.

My point to this whole thing is people have twisted information that don't know what they're talking about. There have been people that come here that I have great respect for. Wherever Mel Packer is, he's been a gentleman. He's tried to articulate everything that he said. I've read everything that he's said. And regardless of whether I agree with him on everything or not I have great respect for him because of the way he's conducted himself and his passion. And other people here, like the young lady, Ms. Myers, Jen Myers, if she's still here.

MS. MYERS: I'm here.

MR. ELLENBOGEN: You know, she's a young lady that is passionate. But let me tell you something. That every emergency that's ever happened in this county where I was a chief in the field, if you think anybody here can threaten me or make me feel uncomfortable the way I feel, you've got the wrong guy. Because I grew up in Lawrenceville before it was a yuppy town. So let me say this. However I vote is with my heart and is what I believe is the best that we can do. The question that I see now, do I think that fracking's the greatest thing in the world? No, I don't. But the thing that I believe is when multi-million dollar industries --- and to be honest with you, this came from Galveston. And the gentleman, George Mitchell who just passed away a couple months ago, was very close friends with friends of mine. You know, I don't believe in my heart of hearts that we can stop this.

And in my mind, it's not a matter of whether I disagree with these folks and the things that are dangerous, in my mind it's how safe can we make this thing to happen? Some people disagree with it, it's not going to happen. I don't see how you can stop it. Because let

me tell you something. With all those leases that are up there, my God, just like the young lady said, if there's something that goes in one of these other properties and that crystalline silica is lifted in the air and it's a mile away, those folks around that park, they're going to eat that dust anyway. And you know what? Crystalline silica is exactly like asbestos.

AUDIENCE MEMBER: That was my point, sir.

PRESIDENT DEFAZIO: Hold up. Hold up.

MR. ELLENBOGEN: And she's right. And I owe her an apology. I shouldn't have did that.

AUDIENCE MEMBER: If you'd listen to me, that was my point, sir. Why don't you take the time to listen?

MR. ELLENBOGEN: You're exactly right.

PRESIDENT DEFAZIO: Look, we're not supposed to be going with ---.

MR. ELLENBOGEN: I do owe her an apology for walking out on her. I understood what she was saying. But when it comes to emergency stuff, you know my record and anybody up there that knew when I was in charge of that department, I didn't sit behind a desk during the Pitcairn flood, during that tornado up on the hill and every other damn thing that happened in this county. When everybody else is running away from something, me and my men were the guys that had to do it. So I'm not saying this with a light heart. And I'm just trying to tell you, this is what I believe in my heart of hearts. I respect the fact that these folks have passionately brought, you know, forward what they believe, and I have great respect for you for doing that.

Don't take what I'm saying in the light that you do. And nobody owns Jim Ellenbogen and anybody in the 12th District knows that. As far as representing your district, my district is totally different than Mt. Lebanon. Because I represent the lower middle class in my district and those people want to work. So I have that to consider also. I don't disparage anybody on this Council. Everybody's districts are different. But we got to do what we got to do. And I apologize if I'm getting a little animated here, but when it comes to emergency stuff and the things that I've done, it's on record, I will not be disparaged about what I know and what I don't know, and you're a smart young lady. Thank you.

MR. DEFAZIO: Bill?

MR. ROBINSON: Thank you, Mr. President, and members of Council. From the very outset of this process, I have objected. I've objected on the record. I've objected to the public. I've objected to the media. I still believe the process that we have been using is the wrong process. I'm only commenting on those items that are before us. The other issues about the natural gas industry were informative. And maybe the natural gas industry is the industry of the future. And if they can produce jobs to help train, educate and employ my constituents, 85 percent of whom look like me, than I'm for it. Nothing has been represented to me to suggest that that is the case now or in the future. Not one black leader, not one African-American leader, not one colored leader, not one Negro leader has called me and asked me to be for or against this approach to drill under Deer Lakes Park. That highlights my concern about what Mr. Fitzgerald did and said. Perhaps we would have been better served if he had not mentioned anything at all about minority business development.

Just leave it alone. That's my issue. That's not his issue. Now it's his issue. It was mine, and I gladly accepted it. I'm a leader of black people, I'm not going to apologize for trying to help black people prosper and grow in this county. I'm going to continue to do that every chance I get. And if you no one else up here wants to do it, that's fine, too. I'm going to keep doing it. Because that's what I'm supposed to do. The district I represent was designed specifically to elect a person who looks like me. And my two predecessors look just like me because that's the way it was designed. Ms. Green-Hawkins is an anomaly and I'll leave it at that.

PRESIDENT DEFAZIO: Mr. Macey?

MR. ROBINSON: I'm not finished, if I might, sir. I think if Mr. Szefi is correct about the status of MBE/WBE, then we have a larger question that probably he didn't want me to raise, the Chief Executive didn't want me to raise and probably most of you didn't want me to raise. Perhaps what we are doing in the county to help minority businesses is a violation of the United States Constitution, Supreme Court Decisions, common sense, practicality, et cetera. And if Mr. Szefi is correct, that there's this tension, then I would hope he and Mr. Cambest and I could sit down and figure out what we do next. Because I think we're bumping up against giving the

impression that we're doing something that we know damn well we can't do legally. Let's stop funding it. Do I have to be the one to put up the motion to defund the minority and women's business enterprise program so the rest of you could run to the aid of black people? Is that what I have to do? Let's don't do that, please. Let's come up with a plan. Let's get our experts together.

Thanks, Mr. Szefi, for opening that door because I'm going to run right straight through it, sir. You're going to hear from me constantly on that, and so will Mr. Fitzgerald. If we're in conflict, let's either resolve the conflict or let's keep the conflict going, however you want to do it. It's not fair to the thousands of people in this county who look like me to be played for chumps by this Council or by the Chief Executive. And that's exactly what is occurring. And it's time to stop it. Let's stop it now. This process is a prime example of shucking and jiving and doing things that are not in the best interest of black people because we're not men and women enough to sit in private and try to figure out what we can and cannot do. Any private conversations I had on this issue of fracking, natural gas or anything else shall remain private unless the other party knows me and wants to start talking, then I'll start talking. Other than that, I don't kiss and tell. I'll respect them as long as they respect me. But when I feel I'm being attacked --- being given that I have access where I don't have access, I'm obligated as a man to respond. I have not had any conversation with Chief Executive Fitzgerald on this issue ever in private, on the phone, at his house, at my house or in these Council chambers. Never, ever. I have not spoken with him about any substantive issue in this county since October of 2013 because of his own decision. And any meetings I have been invited to that I have attended he has not been present. That's as much as I'll say about those private meetings.

I am personally offended that he would misuse people who look like me to achieve whatever goal he's trying to achieve. And every time he does it or anyone on this Council, I'm going to be on you like white on rice. And I mean that. It's over. It's over. Stop playing with black people. If you don't want to serve them, you don't want to represent them, fine, I'll do it. But don't sit here and pretend that you're trying to help, and you're concerned in the face of you knowing what's going

on in this county. You know what's going on in this county. You've been told in private. You've been told in public. This county has one of the worst records for hiring minorities, promoting minorities and equality of pay. The administration, this administration has a report to that effect. And I've asked my colleagues in private to work with me and I haven't heard from anybody. Not one soul on this Council has stepped up to help create a plan. Nobody on this Council. Nobody. Time is up, folks. Time is up. It's time to stop playing.

Lastly, and I thank you Mr. President for your indulgence. This process has exposed us. And that's unfortunate. I often say we're acting like the Keystone cops. We give them a bad name. And we can do better. We can do better. But we have chosen not to do better. This is not the end of this folly, this discussion over drilling under Deer Lakes. Almost ten months, almost ten months of Councilmembers, myself included, trying to get basic information from the Fitzgerald Administration and being denied that basic information. I'm not sure if we had gotten the information it would have changed one vote that's going to be recorded tonight. And that's part of the folly. That basic information was denied us. I always say to my colleagues, and I'll end on this, stay out of the courtroom, stay out of jail and stay out of situations where you have to interpret judges' decisions. Thank you, Mr. President.

PRESIDENT DEFAZIO: Bob Macey?

MR. MACEY: Thank you, Mr. President, members of Council. I've heard the terms of environmental wackos, I've heard terms of racists, but just for the record, I've never called you an environmental wacko. And I think that I've never walked one step in Mr. Robinson's shoes. But I have served on the professional services committee with him. And I think Mr. Robinson knows where I stand as far as affirmative action is concerned. And I'm not a racist as somebody was called. And I hope we're not all being painted with that big wide brush. In my time I've served with the steelworkers, and I was part of the affirmative action program. And I was under Judge Pointer. In my community, we're not all white. There's a good cross section and we're completely diverse. And I serve everybody.

And we work very well in our community as best we can. We are communities of modest means so we have to

work a little differently. On the other hand, if you take a look at my district, we make coke. Coke goes and makes iron. Iron makes steel. The steel goes to Urban Works. Urban Works makes the rolled steel. Goes down to McKeesport, it makes the pipe. The pipe goes to Duquesne where it's coded and processed for the gas industry. So it's very important for my constituents, for my district. The communities in my district as well as in every one of them. And there's drilling going on now. There's fracking going on right now. And we didn't have to get anybody's permission. We're trying to do what's best for our communities, provide jobs and low cost energy. And as far as my brother is concerned --- and you know I can call you brother. I will work with you. Because I think that the occupational community, the professional community, as well as the political community, should be a direct reflection of the people who live in it. But we do need to work a little harder at that. Thank you.

PRESIDENT DEFAZIO: Mr. Futules?

MR. FUTULES: I started this, but I think I got lost.

PRESIDENT DEFAZIO: You might have fallen asleep.

MR. FUTULES: We're all tired. We're all tired. It's been ten months. And I want to give my respect to my Councilmembers here this evening because everybody has an opinion and that's great because that's what this is all about. Straight on down the line, I would not say anything bad about any one of you because what you do tonight is your right as a Council person. And I have expressed that in the past. I would never, ever come after anybody purposely or maliciously because of your opinions. In my opinion as the Parks Chairman, we have been looking for money in this county. It's a daily business. We're looking for revenues. We voted on a restaurant at North Park for new revenues. We voted on go aid (phonetic) for new revenues. We've made many different changes in our jobs to create new revenues.

And this is just one more. This is not a windfall of money. This is just one more step and it's uncertain. There's only one thing I'm certain in life. It's that life will come to an end for us someday. That we do know. That's for certain. But this evening if we vote no, and I see all the signs answer the question. Here's the question. What happens if we vote no? One

thing for certain, one thing for certain that nothing for certain except for this. This is a sign that says here's what we get. This is what we get if we all vote no, folks. Zero. Here we go. Here's your sign. Here's my sign.

AUDIENCE MEMBER: It's not going anywhere.

AUDIENCE MEMBER: When you think they're going to run away, here's the signs ---. They're like heroin addicts, they'll come back for more money. Why don't you play the game with them? That's all it is is a game.

MR. FUTULES: I've made my comment. I'm not going to answer him. I'm just going to make my comment and thank you, everyone, for participating. Thank you.

PRESIDENT DEFAZIO: We've got Sue, then you.

MS. MEANS: Jimmy, I just wanted you to know, I wasn't picking on you.

MR. ELLENBOGEN: I'm sorry. I've been working since six o'clock this morning.

MS. MEANS: I just was disappointed because you always bring up health issues, that you didn't get to hear the fine doctors talk. That's all.

PRESIDENT DEFAZIO: Thank you.

MS. MEANS: And I'm disappointed that really, I agree with Heather and Mr. Robinson that democracy is not best served when we only hear one side of the issue. And I'm been very disappointed. I'm going to go on the record saying we did not have that. At my informational meeting, we did. And we have academic people here. We have health professionals here. And we did not have those in the committee meetings and I am very disappointed. Again, democracy is not best served when only one side is heard. Thank you.

PRESIDENT DEFAZIO: Barbara?

MS. DANKO: I'm still awake so here we go. I want to --- you know, there's a lot of things that Heather said that I agree with 100 percent. You know what, Heather? We should have gotten together and wrote our statements. But I want to go back and say, you know, this is not a new issue for me. In 1978, when I was in my 20s, I worked on the National Energy Act in Washington, D.C. This was after the Arab Oil Embargo. There was a need for energy. There was concern for economic growth. We had to protect the environment. All those things had to be balanced, and the bill came out like this thick (indicating) and that was a major, major piece of

legislation that took months and months and months. I mention that because I'm not naive to the fact that we need energy. I do think, and I've been consistent in this, that the parks are different. We set up these county parks located all around the county so everybody in the county would have easy access to a park. These are the country clubs for poor people.

This is a good deal. And what we said by putting Deer Lakes Park on the chopping block, we're saying you know what? You get to be the sacrificial lamb. We have people from other parks here saying we, the parks, need money. Well, they're not getting the --- the downside is I forget who said. Basically what I'm hearing is, you know, a lot of NIMBYs, but those people around Deer Lakes Park are getting the impact. They're not going to benefit financially. And they're going to be the ones that are carrying the full freight on this for the whole county. Heather did a few of these, but I'm going to repeat them for the record. For months I've been saying they're not going to drill anyway, they're not going to drill anyway because it just didn't make economic sense. And a few of us do have degrees in economics. It just didn't make economic sense.

So when the guy from Range Resources, Mr. Osborne, said, probably not, you know, we don't know, it's above my pay grade, it takes a whole lot of different variables we have to consider. That was not a surprise to me. Even though everything that has come out of the County Executive's mouth and a lot of the other people that use his talking points, start with it's going to happen anyway. Well, if you pull that out, everything else falls. He also said, --- I mean, I thought it was a little big arrogant, zero jobs. I mean, I couldn't believe --- I mean, I just looked at my colleagues when he said that.

When he said basically we're a general contractor and we sub everything out. And whether we drill in Deer Lakes, there are zero jobs, new jobs created. We've already hired all the people that we're going to need. Then he talked about, you know, the dollars. We going to get more dollars from the bond refinancing that we approved tonight than we're going to get from this lease.

(Applause).

MS. DANKO: And as far as spending the proceeds, you would have to be like the loaves and the fishes for everybody that's promised money out of this deal. I mean, the RAD people are in here talking about they're going to get the money, all the other parks people. I mean, this is --- you know, someone pointed out what a miniscule amount in the total budget this is.

Now, I'm going to talk about due diligence. As many of you know, I've taught at CCAC and Pitt for years. I routinely give papers --- my students have to do papers. They are required to get multiple sources for their papers. You cannot use one source and do due diligence. We've had plenty of time, you know, with the people that were here. But just like I tell my students, quantity does not equal quality. We didn't hear from multiple sources. And I want to say, you know --- and I'm tired and fired up now, so hopefully I won't go too out of whack. You know, an educated citizenry is the hallmark of democracy and we need to be educated. As an economist, sort of, one degree, we had the economic impact night, whatever it was, through the Parks Committee. Most economists do a cost benefit analysis. Strangely enough, I never heard one cost. And we were not allowed to ask questions. And we were told we were going to get copies of the report. I asked our staff. We still don't have that.

So that little fine print, if you can't read this from there, we couldn't read what was on the screen. So it just --- we did not do what we needed to do. I want to also say, you know, given that we had this single-source arrangement for the information that was presented to Council, we are not a department that reports to the County Executive. We are an independent branch of government. We are elected just like he was elected. And we're supposed to ask the questions. When I took my oath of office --- and this also goes to something someone said, I said I will always try to make my decisions based on the best long-run interests of the citizens of Allegheny County.

This is a short-term gain, you know, the hell with our grandchildren, in my opinion. I want to also address what Heather addressed about the obstructionist since I've been cited in the newspaper and on the radio many times as part of the obstructionist caucus. Well, let me tell you, the caucus has never met. It's a figment

of people's --- or at least one person's imagination. There is no such caucus. I am not an obstructionist. I am doing my job. And I am upholding my oath under the Constitution which I stood right there and did.

Now, okay. What's an obstructionist? Someone who doesn't want to let us review the RFP? Someone who doesn't let us see the proposals? Someone who doesn't give us the lease until we call them out in the newspaper on it? So who is the real obstructionist?

Now, my final comments, and I will --- I take this very seriously because I take government and my role as an elected official very seriously. As some of you know, I grew up in Washington, D.C. My father was the lawyer in the U.S. Senate Law Library. I basically grew up in the U.S. Capitol so I have great respect for the work of government. He was also a vet. He left law school. He served as a captain in the military. He was injured in combat. He was part of the Battle of the Bulge. He took his troops all over and he was fortunate enough to come home --- otherwise, I wouldn't be here. But what I want to say is what's passing as democracy in Allegheny County would have my father rolling in his grave. Thank you.

PRESIDENT DEFAZIO: Mike, do you have a question?

MR. FINNERTY: Thank you, Mr. President. I'd just like to say that, you know, I think everybody up here takes government seriously and takes our job seriously. Whoops, she's out of paper again.
(Paper changed).

MR. FINNERTY: We're the legislative body of Allegheny County, and as such, we have an obligation, an obligation to go through things and to figure things out and to vote on eventually. No matter what the Chief Executive thinks, we have to make a decision. I think we spent ten months, I might be wrong, maybe it's longer, going through this. It's been an exhausting kind of thing. I've read that lease so many times. That's why I look at it when somebody says something. I can find the spots. But the thing of it is that I think it's time for us to vote on it. Are we going to vote on it? We got to vote on it, let's vote on it, get it over with.

MR. KRESS: I have to say something because this really is my district, and you know, it's one of those things when you first look at something you think, hey,

this is great and then you get some more information, kind of like, well, maybe --- maybe we need to take a look at this harder. But I did have an attorney look at it, Harry Klodowski, he's independent. I wanted an independent review and I paid for it out of my own expense account, I thought that was necessary. And Mr. Kodowski in reviewing the lease, we did have some concerns about it. But I think we've addressed some of those concerns in the amended ordinance. But it's not a perfect lease, and I guess nothing in this world is perfect. But in his opinion he thought we should vote on it. He did give it a thumbs up. So I did have an independent review. And it wasn't --- you know, Rich Fitzgerald actually got this from a person who's actually involved in the environment and does environmental protections. And he has actually sued companies for work contamination. So here's a person telling me, hey, this lease, it's good, it's good enough. He thinks that it covers enough of our bases.

AUDIENCE MEMBER: No.

MR. KRESS: And again, I know there's always going to be disagreements, but again, I hired an independent review. I did my own due diligence. Not only did I do due diligence, I actually went out yesterday to where they're actually going to put the pad. Because I had a meeting yesterday and I wasn't really excited about what people said about me at the meeting. So I actually went out because I was really upset, you know. So I had to actually go and talk to the people who live in the neighborhood where they put the pad, the Gulicks and the other people, and knocked on their doors. Now, who's knocking on peoples' doors at eight o'clock at night? I was. What do you think about this? I met a man, 84 years old, he's working, wife has Alzheimer's. What do you think? Well, I signed a lease, I need the money. And this is a good thing. Why are these people in Squirrel Hill telling me what to do with my property? I said, you're right. Again, I'm walking the street.

Another guy, retired, a retired Marine. He's in his 70s. He's also a retired steelworker, too. He said, hey, I'm all for this, you know. I've had people knock on my door telling me I should be opposed to this but I'm all for it. He goes, also I know it's up to the steel industry, too. They're building steel for the pipelines and other things. It's a great thing. I knocked on somebody else's door. Again, the same thing, this is a

good thing, you know, we're getting money from this lease. Why are people opposing it? They don't live here. I went over to the actual fracking pad by the Mills Mall, the one across the street. First of all, no noise whatsoever. And it's right near the mall.

Listen, again, everyone wants to laugh ---. I knocked on peoples' doors. I walked across the street to the person who lives right across the street from the pad. Any problems, any health problems? No. Do you have any problems? When they're flaring, yeah, for five days, yeah, there was a problem, my house was shaking. But other than that, fine. Again, nothing's perfect. He didn't say there was any problems with water contamination. He was happy. I said what do you think about this deal with Deer Lakes? He goes, you should sign it. The mall's making money off this. They drove underneath the mall. Why shouldn't the county make some money?

So again, I know, there's going to be oppose --- this is how I feel about things. You know, you fill a room with people. You try to intimidate. That's not how I operate. I look at it from an objective standpoint. Seriously. You can say what you want. I've seen a movie, the Ox-Bow Incident. Have you seen the movie called the Ox-Bow Incident? It's not about mob mentality, it's about what you think in your heart, going out and talking to people. There's a lot of people can't make these meetings, they have to work, they got sick people to take care of. This guy who takes care of his wife who has Alzheimer's, he can't come down here. He's 84 years old and --- I'm sorry, I get a little upset about it. I understand about people with Alzheimer's and people who are sick. I'm saying my problem, again, is not everybody can come to these meetings.

PRESIDENT DEFAZIO: Let him talk.

MR. KRESS: Not everybody can come to these meetings so I go out on my own and do my own due diligence and knock on peoples' doors. I don't know if anybody else did that, but I did. I knocked on peoples' doors and I thought this is what people thought. And again, with the job fairs, I know people were making fun of that, but again, I'm making the phone calls. I'm trying to arrange a future for people in my district. West Deer hasn't always been the most economically blessed community. Those kids up there want a future. And I thought, hey,

we're using a leverage here to get you jobs. A lot of people are saying, oh, there's no jobs here. There's jobs here. There's going to be 100 people working on that pad at Gullicks' farm. Again, the union people came here. There's jobs out there. I got people I know who've been work in this industry. There was people who --- I had a fellow who was a nurse. He wasn't making enough money. He went out and was making \$80,000 a year working for the gas companies; okay? There's opportunity here. And I'm not turning that opportunity down. People might want to make fun of this job fair. Again, what I believe that we need in this country is kids to come out of high school and get a job and make some good money, not going to college, not running up a debt of \$100,000 and then working at a bank making \$30,000 a year. I believe this industry can do that.

Again, if you guys want to make fun of it, that's fine, but I made the phone calls. I talked to the superintendent of both Highland School District and Deer Lakes. We're trying to arrange a job fair. Actually, the superintendent of Highland School District, he worked up at, I think on the South Beaver --- but they actually did sign an natural gas lease, the school district did, with the gas company to help provide money for the school district itself. That's what he told me. He said I support this. He goes, anything for the kids. And again, I don't see anything wrong with this. So they're willing to do it; okay? Also, we talked with Range Resources, they're going to be fixing the roads. I went up there and looked Frazer Township, they put a nice road in, repaired it, not from the taxpayer dime, it was from Range Resource. And we need private companies putting money into infrastructure in this country and that's what they did. And that's the reason why I think, again, this is a good --- it's not a perfect deal, but it's a good deal. Again, I talked to the West Deer supervisors, the Frazer supervisors, they're in favor of it. They want the money for the park. They need the money to repair the park. We have some flooding issues. But again, why shouldn't the people get some benefit?

And that's the reason why I'm going to support it. At the end of the day, there was a period of time where I actually was not going to vote for it because I was concerned about the royalties. I felt that Range Resources didn't clarify that. And also, I wanted the

royalties clause in the ordinance itself because I did not want some chief executive in the future to sell us out. And when I say sell us out, maybe get a lump sum. Say we're owed maybe \$40 million, \$50 million in the future, maybe have a budget hole of maybe \$5 million, \$6 million, I'll take \$10 million lump sum and I'll sell you the rest of the royalties. That's not going to happen now. He's got to come back to Council for that change to do that. And that's the reason --- that was one of the most important things. If we have a royalties clause, I want to make sure we get paid on it. And that's how I feel about things. Unfortunately, I'm not going to satisfy everybody. Maybe satisfy the people in my district for the most part, I could tell. They support it. They want the jobs. People will pooh, pooh that, say there's no jobs out there. There are jobs. There are jobs. I don't care what anybody said from --- again, we had people from labor unions coming here. They support it. And that's the final say. So thank you very much.

PRESIDENT DEFAZIO: Joe, call the roll.

MR. CATANESE: This is on Bill 8182-14.

MR. CATANESE: Mr. Baker?

MR. BAKER: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: No.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Abstain.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: No.

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: No.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Mr. President, if I may? I can't make a statement?

PRESIDENT DEFAZIO: You can't talk now. You cannot make a statement.

MR. PALMIERE: All right. That's fine. Yes.

AUDIENCE MEMBER: Oh, John.

PRESIDENT DEFAZIO: Hold it. Wait. You know, I got to come up here and listen to everybody. There's a clear-cut rule you're not allowed to do that. So what am I going to do, bend the rule and then they tell me bend this rule? I can't do it.

AUDIENCE MEMBER: This has nothing to do with that.

PRESIDENT DEFAZIO: Okay. I'm sorry. I'm sorry. Carry on with the vote.

MR. CATANESE: Ms. Rea?

MS. REA: No.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Nay.

MR. CATANESE: Mr. DeFazio, President?

PRESIDENT DEFAZIO: Yes.

MR. CATANESE: Nine yeases, five nos, one abstention, the bill passes.

(Audience unruly)

PRESIDENT DEFAZIO: Motion to adjourn?

MR. FINNERTY: Motion to adjourn.

PRESIDENT DEFAZIO: Second?

MR. MACEY: Second.

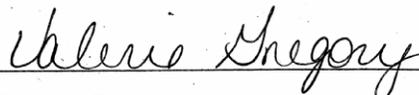
PRESIDENT DEFAZIO: All those in favor say aye.
(chorus of ayes).

PRESIDENT DEFAZIO: Opposed? We're adjourned.

MEETING CONCLUDED AT 12:16 A.M.

CERTIFICATE

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.


Court Reporter