

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

Patrick Catena	-	President, District 4
Robert J. Macey	-	Vice-President, District 9
Samuel DeMarco, III	-	Council-at-Large
Bethany Hallam	-	Council-at-Large
Jack Betkowski		District 1
Suzanne Filiaggi	-	District 2
Anita Prizio	-	District 3
Tom Duerr	-	District 5
John F. Palmiere	-	District 6
Nicholas Futules	-	District 7
Michelle Naccaratei-Chapkis	-	District 8
DeWitt Walton	-	District 10
Paul Klein	-	District 11
Robert Palmosina	-	District 12
Olivia "Liv" Bennett	-	District 13

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

July 19, 2022, 5:01 p.m.

SARGENT'S COURT REPORTING SERVICE, INC.  
429 Forbes Avenue, Suite 1300  
Pittsburgh, PA 15219  
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IN ATTENDANCE:

Jared Barker - Director, Legislative Services

PRESIDENT CATENA: Good evening, everyone. I'd like to call this meeting of Allegheny County Council to order. Please rise for the Pledge of Allegiance.

(Pledge of Allegiance.)

PRESIDENT CATENA: Please remain standing for a moment of silent reflection.

(Moment of Silence.)

PRESIDENT CATENA: Thank you. Please be seated. Jared, please take roll.

MR. BARKER:	Ms. Bennett?
MS. BENNETT:	Here.
MR. BARKER:	Mr. Betkowski?
MR. BETKOWSKI:	Here.
MR. BARKER:	Mr. DeMarco?
MR. DEMARCO:	Here.
MR. BARKER:	Mr. Duerr?
MR. DUERR:	Here.
MR. BARKER:	Ms. Filiaggi.
MS. FILIAGGI:	Here.
MR. BARKER:	Mr. Futules?
MR. FUTULES:	Here.
MR. BARKER:	Ms. Hallam?
MS. HALLAM:	I'm here.
MR. BARKER:	Mr. Klein?
	Mr. Macey?
MR. MACEY:	Here.
MR. BARKER:	Ms. Naccarati-Chapkis?
MS. NACCARATI-CHAPKIS:	Here.
MR. BARKER:	Mr. Palmiere?
MR. PALMIERE:	Here.
MR. BARKER:	Mr. Palmosina?
MR. PALMOSINA:	Here.
MR. BARKER:	Ms. Prizio?
MS. PRIZIO:	Here.
MR. BARKER:	Mr. Walton?
MR. WALTON:	Here.
MR. BARKER:	President Catena?
PRESIDENT CATENA:	Here.
MR. BARKER:	We have 14 members

present at the moment.

PRESIDENT CATENA: Thank you. We have no proclamations or certificates. And before we get into public comments, I'd like to remind people of a few different things.

Obviously, a large number of individuals have signed up to offer comment this evening. In order to call everyone up to the podium efficiently, I'd like to have the Chief Clerk read each speaker's name as their turn comes up, along with the next two speakers. When you hear your turn approaching, please get any notes that you may already have and move towards the podium so that your - when your turn is called, you may be ready to go as quickly as possible.

Obviously, a lot of you have signed up before and we've heard testimony from you before. So if you don't feel that you need to use your time and you just want to agree with the previous speaker, obviously you can very well can do that. We have about 75 speakers signed up, so it's going to be a little bit of time this evening.

And I'd just like recap basically where we're at with all of this. So at the outset we'd like to thank everyone who's opted to spend some time providing Allegheny County with their insights this evening. Your comments are important and mean the world to us in our decision making process, and we're grateful for you sharing them with us.

Because the vast majority of tonight's comments relate to Bill 12162-22, I want to take a moment to recap how we've arrived at this point. On March 30th, 2021, Ms. Prizio introduced Bill Number 11804-21, which was identical to current Bill Number 1216-22 in scope and effect. Although Ms. Prizio's Bill was not discussed in committee, we did receive public comments on that Bill at seven meetings that year, mostly between October and December, as the Bill was set to expire at the end of the 2021 session.

On January 25th, 2022 Ms. Hallam reintroduced 11804-21, now renumbered as Bill 12162-22. After Bill 12162-22 was reintroduced, we received 63 comments on the Bill at seven of our regular meetings from February 8 through July 12, 2022.

A public hearing on Bill 12162-22 was held on June 9th, in which 72 individuals signed up to offer comments in person for which an additional 26 individuals submitted written comments.

The committee on sustainability and green initiatives met to discuss 12162-22 on June 30th. All seven members of the committee, Chair Prizio and Committee Members Bennett, Duerr, Klein, Macey, Nacarrati-Chapkis

and Walton were present or attended via phone. And after evaluation and discussion of the bill, all seven members voted unanimously to affirmatively recommend it to full council for a final vote.

On June 5th the full council voted 11/4 to pass Bill 12162-22. The Chief Executive delivered his veto of 12162-22 to council after its July 12th meeting was concluded. As this was the last regularly scheduled meeting until August 23rd and because council must opt to override a veto within 30 days of its issuance this special meeting tonight was called.

Ample opportunity has been provided to the public to offer their comments in over 30 public meetings of the full council that have taken place since 11804-21 was introduced in March of 2021. Constituents, stakeholders and other interested parties were also free to e-mail, call or otherwise make their opinions known to council at any time during the 476 days that have elapsed since 11804-21 was introduced.

And an unusually large number of individuals have done so. Judging by the written comments that we have received for this evening's meeting, it appears that multiple speakers may be expressing opinions that are similar to those what we've heard or otherwise received already or over the next 476 days. We absolutely do not want to limit anyone's ability to express themselves fully this evening during their allotted time, but in the interest of remedy if you would like to simply agree with some, of all or what was previously a speaker has said and yield the remainder of your time, that is entirely permissible and will appear in the record.

I'd like to remind everybody that obviously this is a forum of government and this is a public forum of government. And being a public forum of government you have to hear both pro and con to any issue. So at this point in time, I would remind speakers to be respectful to one another. There's no reason in a public discourse that we can't be respectful to one another. It's what we need to do this evening to ensure that everyone has their time heard, everyone has an ample opportunity to address council and everyone has an ample opportunity to be heard throughout the county.

So thank you all in advance for your cooperation and welcome. At this point in time, we'll start with public comment.

MR. BARKER: The first commenter is Elizabeth Rotz followed by Renee Dolney and Maria Wheeler-Dubas.

PRESIDENT CATENA: Go ahead and call the group. Call the next five or so.

MR. BARKER: Zachary Barber, Robin Lesko and Mary Rannii in that order.

MR. BARBER: Hello, my name is Zach Barber. I live at 2233 Wightman Street in the City of Pittsburgh. I am the Clear Air advocate with PennEnvironment. And I'm here to speak on the parks bill.

Eight years ago, Allegheny Council - Allegheny County Council had the chance to protect our parks from fracking and they declined to do so. Eight years ago Allegheny County Council had the chance to protect our parks and instead they chose to open Deer Lakes County Park to fracking that has since degraded the water quality at that park.

Eight years ago Allegheny County residents could have chosen to pack it up, accept the defeat and go home, and instead what county residents chose to do was to lace up their boots, to grab their clipboards and began to organizing. And in the year since we've talked to our neighbors about the dangers to health, to the environment from fracking. We've mobilized our fellow parks lovers, quite a few of whom I see here in the room with me tonight, and we've organized in support of candidates who will protect what's worth defending. And I see a few council members up here who one seats partially as a result of that organizing.

I want to respect President Catena' requested and not just reiterate what's been said before, so I want to respond to criticisms we've heard about this Bill. The first thing we've heard that it will be ineffective, a future council could in theory choose to repeal the bill, and so it wouldn't actually protect our parks from fracking. Firstly I'd say well, that's the nature of legislation, that's how all legislation works, unless we were to amend the charter or constitution.

But I'm having trouble squaring that one away with the second line of criticism we've heard, which is that this bill is not only ineffective but over effective, that it would limit our ability to, say, have restaurants or kayak rentals in the parks. And it seems to me hard to justify the fact that it could not stop us from allowing future fracking, while also preventing us from allowing

things that were explicitly exempted into the bill. Those two things don't quite square.

The third criticism you've heard is that banning fracking in Allegheny County parks would be bad for our environment. One of the council members last week mentioned a meeting years ago with Range Resources or - sorry, he didn't name a company, a local fracking company who threatened to take the gas from under Deer Lakes Park, whether council agreed on the lease or not. And this supposedly allowed us to negotiate for environmental benefits.

I'm curious if there's any evidence of tangible environmental benefits that resulted from us signing that lease. And also, I don't know about you all, but when someone comes to my home, and threatens to rob me, I don't open the door and let them in and call it a day.

Now, it's been eight years, it's been a long eight years. The fact that we're here represents a monumental shift in the politics of Allegheny County, and the residents are not going to give up no matter what happens tonight. This does not end here. We know this because there's already been a repeal bill filed, but we'll get to that.

The choice tonight should be clear, Allegheny County Council should do what it could have done years ago and what we shouldn't be fighting to do eight years from now. We need to protect our parks. Protect our parks.

PRESIDENT CATENA: Next speaker.

MR. BARKER: Next up is Robin Lesko.

MS. LESKO: Good evening. My name is Robin Lesko. I live at 60 Academy Avenue, Pittsburgh, 15228. Thank you so much for the opportunity to speak and thank you for taking the time for an extra meeting, which should be during your summer recess.

In the spirit of President Catena's request, I would just like to say I'm echoing everything the previous speaker has said and I'll truncate my words a little bit and be more tactful.

I'm noticing there are a lot of new faces tonight and it's very interesting in that how many days, 476, President Catena - I'm sorry, if I misspoke, not one of them has come and made any sort of comment during our multiple meetings, our public hearings, our committee meetings, the actual vote itself any source of submitted comments to tell you that this bill will not do what it

says to do, which is to protect the parks. Only tonight they're doing that. And I just have the question why? Why is the industry coming out now and trying to persuade you to not - to vote no tonight?

Normally when people show up at the last minute, it's because they're scared. Because they realize that there's no longer a stranglehold that it once had, that we're ready for a change, and that this council actually listens to the constituents and to their hearts. And is doing the real brave thing by choosing people over proceed profits.

As a daughter of industry, in which the industry died and we had to look for new venues, I can say that once again, the fossil fuel industry is a finite one, and yes, people need jobs now but we do not need jobs that cause cancer.

For all the people here tonight, think of the people who can't be here to speak their peace. For all the leaseholders who will tell you how wonderful and profitable it is to be in partnership with the industry, think of all the residents who are pressured to be bought off by certain drilling companies in exchange for their silence when it came to any resulting solution from drilling activities. And that happens to be some of the people that were involved in the Deer Lake Parks leasing, so I won't go any further.

I just ask you to be their voice and to vote yes again to 12162 to protect our parks, our people and our future. Thank you.

MR. BARKER: Followed by Jacqueline Frost, Seth Portenlanger and Felicia Alfieri.

PRESIDENT CATENA: Any of that group here? None of that group? Go on Jared.

MR. BARKER: Nathan Ruggles, Brian Nuckols and Levi Pettler.

PRESIDENT CATENA: None of that group? Move on. Oh, I'm sorry.

MR. RUGGLES: Ladies and gentlemen, we're not here to indulge in fantasy but in political and economic reality. Allegheny County risks becoming a second rate corporate subsidiary. Increasing progressive policies in support for low-income and working families are at nightmare proportions.

Now, in our glory days of industrial power there was always accountability to corporations. The Carnegies

and the Mellons who alone built their gilded empire, they made sure of it.

The point is fracking, for lack of a better word is good, fracking is right. Fracking works. Fracking clarifies, cuts through and captures the essence of that good old Robin Barron spirit. Fracking in all its forms for natural gas, for oil for excessive profits, for lining executive salaries, for mining campaign contributions has marked the upward surge of mankind or at least wealthy men and they're doing it like their political allies, fracking will not only save this county, but citizens, real corporate citizens.

Fracking, most importantly is the best employment play money can buy for enterprising politicians willing to be bought. The fracking workers trust their dead-end fracking temp jobs are actually sustainable while they drink their fracking water freshly flaming from the tap.

Fracking is so important, in fact, we simply cannot allow an actual majority of the people dictate that their precious product should somehow be off limits. Do you realize how much fracking profit can lie beneath fracking enough to ensure all the fracking executives and their politicians get a second vacation home. It would not be - it would be tragic not to frack the parks. It is our responsibility to frack them, frack baby frack.

It's not like there's some kind of affordable energy alternative that creates good paying sustainable union jobs in industry without all of the pollution. Now, about all of this whining about pollution, let's remember, there's nothing more sacred than the rights enshrined in our constitution than corporate non-disclosure of secret proprietary carcinogenic killer chemicals.

Nowhere does it mention anything about the right to protect kids from toxins and this ludicrous notion that if you frack under a lake that it could get into the lake. It's not like there's water in the ground, like ground water that's like connected or something. Nothing is disrupted to people. Toxic water, it just runs away. That's why they call it runoff, it runs down rivers. So don't swim in the river. And that's Ohio's problem; am I right? That's why they named the river after them.

And these fracking companies all get paid with broad brushes. Can you imagine if we ever painted racist, sexist or corrupt politicians with such negative broad



brushes. That's not the way we - wait, I just realized this is the wrong speech, it's actually the draft speech by some self-described awesome-sauce executive regarding vetos of the will of the people again. Well, my remarks are here somewhere. Let's see. Overturn the veto, stop fracking, end corruption. Thank you very much.

MR. NUCKOLS: Thanks for receiving my comments. I would like to register my support, especially for the last comment, but much of what has been said today.

I'd also like to thank Councilman Walton, who's my councilmember. I live in Wilkinsburg on Penn Avenue. I thank Councilmember Walton for being very responsive in talking with many of its constituents about this important issue rising in support of the fracking ban.

I'd like to use my comment today to talk about questions I had about this session itself, the special session. I would like to thank President Catena for calling the special session. It did need to happen, and I'm very glad it did.

I'd also like to frankly register my discuss at the fact that we needed to have a special session. I had to call off work throughout July. This issue is very important to me. I didn't know which Tuesday evening it would be to call off every Tuesday to come.

I think it raises a number of questions about the proceedings today and the way that the process has been handled, by the county executive especially. The questions I have are what are the intentions for waiting until the 11th hour. I think we should raise these as community, or was it in the best interest of the people of Allegheny County. Was it innocent? Was it designed to make it less likely for some council members to attend? Was this decision influenced by Range Resources Pack, LLC, by the Marcellus Shale coalition? What kind of coordination has been going on? Why are many members of industry here? Why do they know to come today and wait until now?

Are campaign contributions coming from these forces contingent on a veto from votes from council members? These are questions I have about the - whose interest does the 11th hour veto really serve? And is it the people of Allegheny County or someone else? These aren't questions I can answer. I don't have the expertise to answer these questions, but I would remind all of us in Allegheny County that we do have boards that can answer

these questions for us. We have accountability, conduct and ethics commission. Again, I'm no expert, but my reading of Section 103.02 is that it's quite broad and we can read this broadly.

And I really want people to hear me this on council and in the community. I'm not trying to be hyperbolic in my rhetoric. I don't mean to be hyperbolic here. But playing a silly game with the legislative wheel of this council is not a joke. It's not a game. It's not rich being rich, it's not petty. It's beyond that. It's an assault on democracy, frankly. And at our current time - at our current time, from the federal level to the municipal level, it's inexcusable and it's shameful. We have a crisis of democracy going on right now.

In Allegheny County we should be fighting against that, not playing silly games. This is a crisis of leadership like I said. Leaders need to listen to the people they're serving, they need to respect the rules of democracy and I'd ask every council member here today to respect democracy and say no to this bill - to fracking. Thank you.

PRESIDENT CATENA: Next group?

MR. BARKER: I believe that was Mr. Nuckols. The next group would be Levi Pettler, Matthew Nemeth, Gaye Fifer, Jennifer Drone and Olivia Perfetti.

PRESIDENT CATENA: Let's get the net five up there, then, too, Jared.

MR. BARKER: Okay. Following Ms. Perfetti would be Kenneth Ball, Mark Windle, Justin Sandherr, Tom Pike and Robert Johnson.

PRESIDENT CATENA: Go ahead.

MS. PERFETTI: Hi, everyone. My name is Olivia Perfetti. I live at 522 Ivy Street in Pittsburgh, 15232.

I'm here in strong support of the bill to ban fracking in Allegheny County parks. First, I want to thank Council for passing the bill. I spoke at the hearing a few weeks ago about how much I love going on field trips in middle school to north park and south park, and since then I've been thinking about why I care so much about this issue and why everyone here, who's been turning out time and time again to make their voices heard, really wants to see this bill made into law.

So here's a few things that I've gathered. It sometimes feels like these days we're just totally inundated with all sorts of dangerous things. So the air

we breathe in dirty. There's lead and microplastic in our drinking water, and our landscape is getting ripped apart to feed the oil and gas industry.

Our parks were the one place that we can go amidst all of this to get a breath of fresh air, some peace and quiet and not worry about all of these toxic threats to our health. They were meant for walking and playing and swimming and picnics and biking and outdoor concerts, spending time with the people that we love, so I always assumed that they would be sacred ground.

But it seems like fracking companies and their political allies have other ideas, and they see our parks as easy money, opportunities to make a quick buck at the expense of our health and the places we love. And if that means that our streams are contaminated with radioactive waste, they won't care because their bottom line was met and they can throw a few pennies at remediation or building a playground and call it even, even though the damage is already done. Because that is what happens when companies frack, it is not a question of if, it is a question of when.

But we aren't going to let that happen. Hundreds of people in Allegheny County have spoken up in support of this simple common sense bill to ensure that our county parks are protected for our enjoyment. So please listen to the voice of the public and vote to override the county executive's veto of this bill. Thank you.

MR. NEMETH: Good evening, my name is Matt Nemeth. I am a resident of 9327 Northgate Drive and a lifelong resident of McCandless. I am also the chair of the green party of Allegheny County, a member of Sunrise Movement and one of the lead organizers of current Protect Our Parks Coalition, working to inform the public about this bill and bring their voices on the matter to you, Allegheny Council.

Why are we all working together on this? Two reasons. One, because a majority of the one and a quarter million residents of Allegheny County have no clue about the existence of this bill. They have no clue their parks are threatened or already impacted by fracking or what their own county council is up to on a regular basis for that matter. And I believe they have a right to know.

Two, because I love and want to protect our county parks. You've already heard residents tell their

personal stories and all the activities they enjoy doing with their family and friends and things that help bring them joy and peace of mind. We want to protect these places from private for profit fossil fuel corporations who are itching millions of gallons of water, silica and poisonous chemicals beneath our feet, only to bring it back up as a toxic slurry of radioactive waste in order to acquire greenhouse gases that they to seek sell off overseas in liquid form or turn into more plastic waste at the ethane fracking facility in Beaver County.

During the time we've been working on this initiative we've been subjected to excuse after excuse from county executive Rich Fitzgerald and what few components of this bill still exist on county council. We've been told our parks are not in danger of being leased to frackers. We've bene told, and I quote - this is a quote from Rich Fitzgerald, any future legislation can simply repeal this one. It's just propaganda to benefit their own political interests.

Well, how stupid do you think we all are. How much disdain do you have for the public's right to know and participate in the decision making process? Here's an example of this flim flam. Bill Number 12357-22. Does that sound familiar to any one of you? It's a bill cosponsored by Council Members Macey, Futules and Walton addressing fracking regulations in our parks. It's also the bill that county executive Rich Fitzgerald has been parading around on his little media tour as a true solution to protecting our parks. Well, I read this bill, and guess what I found, a repealer clause. Just like every other bill this council passes and the executives signs, meaning it can also be repealed by any future legislation.

Another hoodwink included in it prohibits extracting on the surface of county parks only. The bill would allow well pads just outside of parks that drill laterally underneath them effectively allowing drilling in our parks while pretending not to. These are the kind of evil tricks you expect from a corrupt government bought by the interest of fossil fuel companies. Whether this bill ultimately passes or not, know that we are not going anywhere. Thus far, you've been objectively failing to protect the health and wellbeing of the people you claim to represent. If that continues then we will fight without you to protect our communities from this idiotic

fracking and plastic production being shoved down our throats. Thank you.

PRESIDENT CATENA: Before we go on at this point in time, I've been asked if we could clear the area near the door along this wall right here. Unless you're speaking, unless you're scheduled to speak immediately, if you guys could all find a seat or you're going to have to step out in the hallway. You have to step out into the main area.

The speaker is on outside if you want to go out there, but I've been asked - there's plenty of seats over here. Okay. Go ahead.

MR. WINDLE: Ready to proceed?

PRESIDENT CATENA: Yeah, go ahead.

MR. WINDLE: Thank you. Good evening, County Council. My name is Mark Windle. I have been a resident of Allegheny County for over 20 years and have been born and raised in the southwestern Pennsylvania. I work for the natural gas industry and I work for Range Resources, who employs - our industry employs over 100,000 people across the state, many which work in our building trade unions in the region.

Range pioneered the Marcellus shale in 2004, but we've also pioneered environmental practices that are now used across our industry. We're the first to recycle water and the first industry to disclose the composition of our fracking done on a well by well basis on our website.

Eight years ago we came before the county council and agreed on a non-surface lease for natural gas production from below Deer Lakes County Park. Since then we've safely developed gas as we promised with no surface impacts to the park with significant funding for investment into Allegheny County parks. Many of those dollars were earmarked for county park improvements, as you know. It was done transparently, safely and protect the air and water we all breathe and drink.

The Allegheny County Health Department conducted its own air and water quality testing throughout this development and verified this data. While a natural gas ban that is being discussed tonight will not impact any of Range's existing leases, we would nonetheless want to ensure operational experience we share with everybody here.

To be clear Deer Lakes' lease did not disturb the park. The resources were developed from private property outside the park utilizing modern horizontal drilling technology. In fact, this lease helped improve the park and did so without adding to the county's tax burden. This lease generated more than \$1,500 and proceeds for Allegheny County to date.

Range and county leadership went to great lengths to implement environmental safeguards as part of the agreement. The agreement required extensive air and water monitoring, coordination with local school bus routes, coordination of the emergency first responders and special noise and light mitigation as well.

Pennsylvania's state regulations and oversight of the natural gas industry are arguably the most stringent in the world, but we continue to lean forward on environmental best practices well beyond the regulatory requirements.

We've conducted voluntary continuous air monitoring for years at two of our well sites in Washington County. Both show no adverse air quality impacts or health impacts as part of the accumulative natural gas development in that region. Results of these efforts were made both publicly and as realtime as we could. And one of them was even peer-reviewed and published in multiple academic papers.

Having been born and raised in western Pennsylvania like most of you, we all share a sense of pride of our home and is something that connects all of this no matter how you feel about this topic. We understand that this topic is complex, but we encourage you to consider the success at Deer Lakes when making your decision.

And lastly, we want to offer an extended invite to anybody here on county council that would like to see our operations firsthand or learn more about how we develop natural gas in Allegheny County. Thank you again for giving me the opportunity to speak tonight and I appreciate the time. Thank you.

MR. PIKE: Hi, there. My name is Tom Pike. I live in Forest Hills in District 10. I'm a resident. I'm not being paid to be here. In fact, I've delayed my planned vacation to a state park to be here. My bags are in my car and I'm leaving when we're done here today, so thank you to the county executive for wasting my time.

Councilmember Walton, I've been thinking about the conversation you've had with me at my neighbor's last week. One thing in particular resonated with me. You mentioned that our neighbors in our district are dealing with lead paint and they're primarily concerned with keeping a roof over their head. I just want to reiterate what I said then. If you propose a bill to remediate lead, I'll show up and support, my neighbors will show up in support. I'll call my friends, we will show up with our signs, we will fight for it.

Likewise, Councilmember Prizio's bill, which would see county buildings greened and retrofitted with local HVAC union labor we'll show up and we'll fight for that, too, because our commitment is to environment justice, not to the environment, it's to people. And our commitment. And our commitment to environmental justice is not conditional on the way you vote today. We are going to show up for these things regardless, because we're not here to trade favors, we're here for our neighbors, we're here for our parks. We're here for people and we're here for children.

And Councilmember you have my trust and my faith. I hope you honor them both today. If you honor the Pennsylvania constitution, that guarantees the people of our state clean air and water. And thank you for the courage of your vote a few weeks ago. Thank you all for your time.

MR. JOHNSON: Robert Johnson is my name. I'm over in Brightwood Road, Bethel Park, PA. I've been a resident of Allegheny County for a good part of my life. My family is from McKeesport. Any of you been to McKeesport know that area up in the Mon Valley. An area of big steel at one time, and the Homestead Steel Works produced, I guess, most of the steel used in World War II.

Now we have this thing called natural gas, and we've come up with some advanced technology to develop natural gas. Technology allows us to go horizontally under the ground, not just straight down. Fracking has been around for what 60, 70 years. Nothing really new about fracking, we just have the technology to go farther with it now.

Now, I just heard some comments about the parks. I don't know of any problems in Deer Park. Has there been any problems? I'm not sure if there's been any problems in Deer Park. The example out at the airport, which some

of the members of county council know well, what Consol has done out at the airport is some tremendous things. I see some head shaking.

Why are we chasing this away? Why are we chasing this business away? Most of my family was born in McKeesport or from there and most of them now, unfortunately, are not going to live in Allegheny County anymore. Go down to Raleigh, North Carolina, go to Atlanta. You want to see a Steeler game, you want to see a Steeler party, go to Atlanta on a Sunday afternoon in September. Don't chase this away.

I support County Executive Fitzgerald's veto of this thing. Most of the stuff in this room is made from natural gas. This. This. Your phones, baby diapers of all things are made from things from natural gas. Don't chase - don't chase this away.

Look at South Point, look at what's going on in Beaver County. It can be here, too. We need the jobs here. We need the economic development here. We are doing - we are doing it safely. We are doing it safely.

So I can talk for the next three minutes. I'm going to stop now and end my time. Don't chase this away.

PRESIDENT CATENA: Thank you.

JUSTIN SANDHERR: Good evening. My is Justin Sandherr, 1148 Portland Street. I just want to thank everybody for showing up, because I know President Catena you said at the beginning that democracy is about people showing up and speaking out about topics.

And so to all of you that are here, thank you. This is what a democracy looks like. We need more of this. But it's interesting to me that I keep hearing that the overwhelming message from constituents across this county is that we're in support of the Bill itself. And I keep hearing comments from individuals about how - how are we going to - or why are we going to chase this business away or -? This is a complex issue that we need to dive into. This is not a complex issue.

If we look at the impact of the oil and gas industry across the world today, their world is on fire, folks. This is not a complex issue. And yes, yes, a lot of what we have today has been built on the oil and gas industry. And I ask myself are we not a creative industrious intelligent people in the great state of America - the great county of America and the great State of Pennsylvania, and the great City of Pittsburgh, which



by the way, it was just mentioned that we led - led the country in innovation years ago.

And then, we recognize that innovation destroyed so many aspects of our city, and guess what, we made changes and we grew as a people, and we did things more intelligently. And now we're being asked to do the exact same thing. Let's think ahead five years. Let's think ahead ten years. When my kids are going to be 15, 16, 17, 18 years old, are they going to be experiencing the severe ramifications of the decisions that we make today.

I want to take everybody back about a year and a half ago. The only place in the City of Pittsburgh, being a resident here, that was a safe haven during the COVID epidemic, was our parks. People were able to go to our parks, the city did a nice job of shutting down the traffic in our parks, and people were able to go there freely and enjoy the free air and enjoy the free space.

Anything that puts our parks in jeopardy, it can't happen, and so I just want to be here tonight to register my support in favor of Bill 12162-22.

And I also just want to take a quick second to honor and thank Councilwoman Bethany Hallam on your work on the jail oversight board. The delays in getting us information is taking too long. The obstacle that we're being presented with are becoming more absurd by the day, and I want you to know that your work will save lives. Thank you.

PRESIDENT CATENA: Let's line up the next ten.

MR. BARKER: Before proceeding, please let the record reflect that Mr. Klein is among us now.

The next five are Princess Jafar, Ken Gulick, Joseph Sinnott, Julie DiCenzo and Michele Fetting.

PRESIDENT CATENA: While they're lining up, again, if I could remind everybody to keep your applause to a minimum so we can get through as many speakers as quickly as possible. And also be respectful of one another.

Who's first out of that group, Jared?

MR. BARKER: First would be Princess Jafar, followed by Ken Gulick, then Joseph Sinnott, Julie DiCenzo and Michele Fetting.

MR. GULICK: Council, thank you in advance for letting me speak with you this evening. My name is Ken Gulick, a longtime resident of Frazer Township. My wife and I own the farm, which serves as a well pad location

for Range's Marcellus development, which captures natural gas from within Deer Lakes Park and surrounding privately owned land.

I thought it important that Council should hear directly our experiences and opinions regarding natural gas development in Frazer Township, especially in regards to Deer Lakes Park. In short we live through the entire process, witnessing the entire project start to finish.

As you're aware, Range Resources successfully drilled and completed several Marcellus horizontal wells from our farm. Throughout the entire process we can say without exception Range performed well above any pre-determined expectations we may have had. The pad, the access road, the associated production equipment, it was all installed in accordance with Range's minimum surface disturbance doctrine.

Range has always been transparent and forthcoming, answering any questions or concerns we may have had.

Frazer Township is no stranger in natural resource development. First it was coal in the 1800s, and then shallow gas in the teens and '20s, then shallow gas in the '40s and '50s, then again shallow conventional reservoir gas in the early 2000s, and now finally Marcellus shale development. Frazer Township currently has five active well pads with something around 30 horizontal wells, currently and saving, producing natural gas. In fact, I would put out there that Frazer - to most of Frazer Township's land mass has already been leased for natural gas.

And sure, we've been pleased that the overall project, we see no impact whatsoever on our place. When Range began pad construction, we're feeding around 35 head of beef cattle, today that's almost 80, more than double, again, with no ill effects.

Frazer Township, as you may know isn't a wealthy township. In fact, the bulk of our local township budget is primarily funded through the state's natural gas impact fee. This revenue stream of which Range is a big part, is currently around \$150,000 to \$160,000 per year. This exceeds Frazer Township's real estate percentage, real estate taxes. This has allowed Frazer to keep millage rates low and enable the township to address roads and infrastructure issues. And again, without putting an undue tax burden on township residents.

With regards to the council's recent vote to place off limits responsible gas development, I would ask council to reconsider this one-size all approach to public land's management. In my opinion, the issue should be decided on a case-by-case basis like the Deer Lakes project -.

PRESIDENT CATENA: If you could wrap it up?

MR. GULICK: Put it on as debate. Thank you.

PRESIDENT CATENA: Thank you.

MR. SINNOTT: My name is Joe Sinnott, an O'Hara Township resident and father of four children, age ten, seven, four and four. And as a parent, my job is to help my kids realize their full potential. Similarly, the job of you as a council is to help Allegheny County to realize its full potential.

And whether we're talking about kids or counties, the recipe for achieving full potential requires three ingredients. One, a safe and healthy environment. Two, a spirit of innovation that was just mentioned two speakers ago. And three, an abundance of choices. And when it comes to that first ingredient, a safe and healthy environment, I thanked the council and my fellow residents who have made health and safety the center of all fracking related conversations.

But as I digest the potential impacts of the fracking ban, it's clear to me that the ban is missing the other two ingredients, innovation and choice. Starting with innovation, I think we can all agree, especially you, Councilman Duerr, who has a degree in innovation, that the spirit of this frack ban is the complete opposite of the spirit of continuous innovation. That continuous innovation has defined western Pennsylvania. So instead, shouldn't we be asking how to best leverage out county's resources while also addressing the safety and health concerns of residents?

No, instead this ban merely ends the conversation without giving your constituents what they want. And what do your constituents want? Well, they want the other missing ingredient, choice. And yes, we've been told that in the 234 year history of Allegheny County there's never been a governing body more pro-choice than what is in front of us today. In fact, minutes after the frack ban was passed Councilman Duerr introduced a right of choice bill which claims to protect the choice of women regarding their health and safety.

But ironically, if not hypocritically, the frack ban you passed limits the choices and options your constituents, like the gentleman who just spoke have to negotiate the types of enhanced health and safety protections they deserve. The same type of protections recommended in Councilman Walton's alternate parks bill, 12357, a bill that attempts to preserve the spirit of innovation necessary for all of us to realize our full potential and not be a flim flam as a previous speaker spoke regarding the bill, but via a continuous innovation. That being said, I ask the council to avoid being pressured into making a convenient choice tonight. And I ask the council to recognize that sometimes the simplest choice is not the most sustainable choice.

That being said, please do not choose to simply kill ongoing discussion, destroy the potential fruits of future public private partnerships and throw the baby out with the frack water, if you will. Instead, adopt a collaborative and innovative path by upholding a veto that preserve Allegheny County's right to choose -

PRESIDENT CATENA: If you could wrap it up.

MR SINNOTT: - health and wellbeing of all of your constituents.

PRESIDENT CATENA: Thank you.

MR. SINNOTT: Thank you.

PRESIDENT CATENA: I think we're going to need to line up the next group of ten.

MR. BARKER: Timothy Resciniti, Megan McDonough, John Detwiler, Douglas Shields, Dan Gryzbek, Gloria Forouzan and Amanda Waxman are the next group.

MR. RESCINITI: Hello, my name is Tim Resciniti and I live in West Deer Township. My comment today is in response to a question I was asked after my presentation to the Sustainability and Green Initiatives Committee. During my presentation I mentioned that I researched the Deer Lakes Park lease and was asked if I had found any evidence to suggest that Range Resources had defaulted on any of the terms of the lease.

The lease includes an Exhibit C that requires the lessee, which is Range Resources to comply with all applicable law, including 25 PA Code Chapter 78, the Oil and Gas Act and the Solid Waste Management Act. Section 19.04 of the lease specifically requires that containment practices meet all DEP requirements.

Yesterday I accessed the publicly available DEP compliance report for the Gulig (phonetic)) site, which revealed the following. Forty-six (46) documented violations of 25 PA Code, Chapter 78, two documented violations of the Oil and Gas Act and 7 documented violations of the Solid Waste Management Act. The DEP compliance report tells a concerning story of repeated violations for failure to meet DEP requirements, which are specifically required by the lease. Spills that have reached the ground, rather than staying in containment have occurred repeatedly.

Apparently the issue with containment went on so long that a consent order had to be issued by the DEP. On April 14th of this very year, an inspector noted, quote, at the time of inspection, GPUs were onsite and appeared to be connected in line with production equipment and audibly functioning. There did not appear to be any secondary containment around any of the units on site, end quote.

The lease provision I want to bring up next is Section 12 of Exhibit C, which says, quote, the lesser, that's Allegheny County, shall hold the lessee liable for the violation of any applicable law, end quote. I read that as not being discretionary, yet there is no evidence that the county even investigated whether Range has defaulted on the lease.

Using publicly available sources, the answer is obvious. There seems to be a self-policing strategy for the lessee, who was charged and convicted of environmental crimes, as part of a two-year grand jury investigation. To be fair, I don't know that the county has ever had a plan for who would perform oversight. Police, park personnel, the health department, citizens, even maybe the county executive? I don't know. I'd be surprised if anyone in this room knew, and if they did I would certainly have questions for that person.

This is why I support council voting yes to override the veto. As a county we have demonstrated that we are -

PRESIDENT CATENA: If you could wrap it up.

MS. RESCINITI: - willing or able to protect the parks we have already leased, let alone any additional parks. Thank you.

PRESIDENT CATENA: Thank you.

MR. SHIELDS: Good evening. My name is Douglas Shields, I'm a resident of Allegheny County, I live at 2329 Tilbury Avenue, City of Pittsburgh, 15217. And I want to echo the comment here after hearing Range and their representative here to remind this council that corporations are people, too. And that people was a convicted criminal, as noted, and part of the grand jury. I really get tired Range coming to these affairs and putting out, essentially lies about what a good corporate steward they are, and you just heard the rest.

So let me get to my remarks. And this is in response - I heard a lot of people saying this is about money as their reason for supporting the veto. And I will bring these two comments to you. As one digs deeper into the national character of the American, one sees that they have sought the value of everything in this world, only to answer this one single question, how much money will it bring in. That was written by Alex de Tocqueville back in the 1830s, a French observer of the American experiment in democracy.

And then Ben Franklin had a response to the - it's about the money. Money has never made man happy, nor will it. There is nothing in its nature to produce happiness. The more of it one has, the more wants. So we're setting aside our responsibilities to the public trust in our parks.

But first, I want to express my sincere thanks and appreciation to every member of council that voted in favor of the ordinance. Thank you.

And I've come down here and yelled some more, but this isn't the day to do that. But those opposed to legislation have raised seemingly endless litanies of reasons not to vote for it. The commentary from the objectors that I have heard is well scripted and starts off with something like I really want to protect our parks and then they give us the litany of reasons why they can't vote for it.

I'm a very good legislative writer, and in fact, I drafted this bill. And so if you need some help with some friendly amendments to resolve your concerns that I heard reiterated in this council I'll do it for free. I'm really good at it. You can go to the city's legislative center, I've written of hundreds of pieces of legislation, some of which were challenged in the courts, and guess what, they held up. So I don't mess around when I write

law. If you have a concern, I'm here. If you need something resolved about Girl Scouts and Wagman Observatory, I can write it, believe you me.

But we can see that that's an excuse. You really don't care about the parks, otherwise you would have acted to amend the bill pursuant your concerns instead of bashing it and supporting an executive's veto. You've had two and a half years to look at the Bill. So you're out of time. It's time to put up or not. And people can see what's going on here.

The world might, you know - so here's your chance. The county is - land mass is 745 square miles. 476,000 acres. The county parks comprise 18.75 square miles or 12,000 acres. We're talking about, you know, this will be the end of the world for the county if we do this, but we're talking about 0.2 percent of the county land mass being reserved for the exclusive use of the people to be a place preserved forever for the use and enjoyment of the people and for generations to come. And it's a good place to start your climate action plan, because you don't have one. Pittsburgh does, municipalities do, so let this be a start.

In London -

PRESIDENT CATENA: If you can wrap it up.

MR. SHIELDS: - it was 103. You put more carbon in the air, you promote a public policy that puts carbon in the air -

PRESIDENT CATENA: Thank you.

MR. SHIELDS: - you're talking about problems, you're cooking the planet. Thank you.

MR. DETWILER: I'm always happy to follow Mr. Shields. Good evening. I'm John Detwiler, residing in the City of Pittsburgh.

Thank you for enduring yet one more public comment session on this Bill, a Bill which you've already passed by a wide margin. I hope you'll override Mr. Fitzgerald's veto, but regardless, tonight we close just one chapter. The story will go on.

So I'm going to talk about where we go from here. First, let's start being straight with each other. We don't need to debate putting gas rigs in the middle of a park. Nobody is advocating for that. This is about an industrial process, fracking, which one side, mine, says needs to be ended. An industrial process, which not only at the well pad makes us sick, drags down our economy,

poisons our public discourse, and is accelerating our rush toward climate catastrophe.

This council faces a fundamental choice, either or. Should a public trust, our county parks be exploited for fracking, or is fracking itself an assault on the public good, an assault that our county government should not be joining in on. Let's call it what it is.

Still I wish we had something more solid to show what we've learned over these years. Sadly unlike a courtroom, our legislative process has no formal findings of fact or rules of evidence. Anyone can say anything, either from this podium or from the seats up where you are, or even from the county executive's office. Anything without evidence, without Cross Examination, and without consequences.

So we go forward now without an authoritative record to look back to as to which are established facts and which are unsubstantiated legends, and yet, as we know, as a documented fact, the water in Deer Lakes Park is contaminated by chemicals used in fracking. Conversely there's a familiar legend that Range Resources was going to drill anyway regardless of whether or not the county leased the park, and yet it's fact that the company didn't so much as lift a shovel at that Gulig site until the park was leased, and then they immediately built a pad there and drilled directly into the park less than 700 feet away. And in fact, it's been years before a well was drilled at that pad in any other direction and into the park.

There's another familiar legend that is seated at the table is what it takes for this county government to suddenly become a protector of the environment. But as to fact we've heard no evidence over the past eight years; no reports, no correspondence, nothing whatsoever to suggest that this administration has done anything more than sit back and cash the checks. So I hope we won't spend the weeks to come in rehashing those old legends. But the facts will still be there.

On July 5th, 2022 this council took a historic step in addressing the real issue of fracking, that issue and your accomplishment won't be wiped away -.

PRESIDENT CATENA: If you could wrap it up.

MR. DETWILER: Thank you, Council. Thank you.

PRESIDENT CATENA: Thank you.



MR. GRYZBEK: Good evening, Counsel. My name is Dan Gryzbek, I live in Bethel Park. I'll try to be pretty succinct, since I think for the last few meetings I've really summarized my thoughts. And just in brief. One, fracking is not a process that can be done safely. Two, the economic benefits are vastly overstated. And then, onto the third thing, the veto, what we're talking about today.

The county executive basically gave two reasons for vetoing this bill. His first reason was that the bill wouldn't actually accomplish anything, that you could just use the repealer clause, and with a simple majority you'd override it. Okay. Cool. But you know, future legislative bodies do that. I think it's pretty clear that the county executive doesn't actually believe that, considering how many people we have here today that are now all of a sudden against this bill, even though we didn't have a single person speak out against it in the first several meetings.

And the second point, which was oddly contradictory to his first point, the first point being that this would do nothing, it's that the legislative body shouldn't make decisions for future legislative bodies. Again, if it's not going to do anything, how are you making a decision for future legislative bodies.

So I hope that you can all see how completely logically inconsistent those two reasons are. I hope you find the reasoning as poor as I do, and I hope you vote in favor of overriding this veto, and in favor of Bill 12162-22. Thank you.

MS. WAXMAN: Hello, my name is Amanda Waxman and I live in East Liberty, 15206, and I'm here to support - express my strong support for Bill Number 12162-22, the Bill we're all talking about.

First, I want to thank the county council representatives who listen to the will of the people in voting to pass this Bill. Two weeks ago, including my own representative, Councilman Walton, your support does not only protect our environment from the harms of fracking that my neighbors have listed, it also makes a strong statement in favor of us, the people of Allegheny County.

As for this Allegheny County resident, I am a distance runner, a proud member of our local running community, and I even recently became a running coach for elementary school girls. And our parks have served, not

just as a backdrop, but as an integral part of these experiences, which have enriched our lives and our community together.

Passing this bill ensures families across Allegheny County have access to these experiences for years to come without these spaces being infringed on by oil and gas companies. I don't want to see our parks converted into industrial waste sites as these companies exploit and degrade them. I want to see our parks as spaces where people and their families can thrive, where kids like the girls that I coach can feel safe, happy and free. We deserve places where we can hike, bike and run without inhaling asthma-inducing air pollutants. We deserve places where we can swim without worrying about toxic run off. We deserve our parks to be fracking free.

In light of all the support that this common sense legislation has received from residents across the county, I'm disturbed by County Executive Fitzgerald's decision to veto this Bill. It's egregious and ignorance of the will of the people that you're elected to represent and protect.

Once again, I want to thank the representatives who voted in support of the bill for doing the right thing and acting in the interest of acting in the interest of their constituents. I implore you all to continue to act in our interest by overriding the unfounded veto and ensuring Allegheny County is a place where we don't only survive but thrive. Thank you.

PRINCESS JAFAR: Hi. It's me, Princess Jafar. Hello, everybody. I am here in support of fracking. I say we should frack frick, frack frick. We should change it to frack park actually, yes. I am pro fracking. I am so pro fracking that I actually brought some fracking water that I will drink to show you that it is not unsafe at all.

Okay. See, I'm fine. I'm Princess Jafar. I'm your local Arab drag queen princess villain, and I am pro fracking and you all should be, too. Thank you. Bye. P.S. hashtag czar.

PRESIDENT CATENA: Next group, please.

MR. BARKER: The next group is Eva Resnick-Day, Jim Burn, Thaddeus Popovich, Anais Peterson, Joe Schreiber and Stephen Riccardi.

PRESIDENT CATENA: Read it again, Jared.

MR. BARKER: Eva Resnick-Day, Jim Burn, Thaddeus Popovich, Anais Peterson, Joe Schreiber and Stephen Riccardi.

MS. RESNICK-DAY: Hello, everybody. I'm Eva Resnick-Day. I'm a resident in Swissvale, 2013 Columbia Ave, 15218. And I am here to support this Bill strongly and for you overriding the veto.

Everything has really been said. I just really want to say I agree specifically with Mr. Pike who spoke earlier, that this is about long-term environmental justice, and that means we care about people not just the environment. That means we're going to show up for lead pipe issues, that means we're going to show up to build new strong industries that are actually sustainable around HVAC and energy efficiency so that we don't continue to have the same boom and bust cycles that we've had in Pittsburgh decade after decade after decade.

The person that spoke directly after him was saying, you know, my family grew up in McKeesport and we were part of the industry and now no one's here anymore. And I think that's the point, that this is not sustainable, that these industries come, we make a little bit of money, we ruin a lot of air and a lot of water and contribute to climate change and then they're gone. And then we do it again, and again and again. And we just have to get out of that cycle.

I, you know, grew up in Pittsburgh, graduated from Pitt, was part of, you know, part of Doug Shields' Bill in 2009 to ban fracking in the City of Pittsburgh, and I just spent 13 years making speeches like this begging our elected officials to have a future for myself, for our kids in the next generation, and it's just really exhausting. Like, we need to break out of that cycle and just say we need to stop industry, that is continuing to fuel climate change. Right now we know in Europe, it's incredibly hot and people are suffering immensely. Here we see increased flooding, we're seeing increased micro storms that are taking out our infrastructure and we're using millions and millions and eventually billions to fix that. We just can't create more things that we have to fix, we have to be a part of the problem - I mean, a part of the solution. Sorry.

Okay. So yeah, I think that's all I have to see. Keep it nice and short. And I really hope that you override the veto today.

MR. BURN: Good afternoon, Mr. President, members of Council. It's good to be with you again. For eight years I served in this chamber with some of you, and congratulations to those of you who have joined this institution of public service of representing the people. A part time council, something done indigenous to the intent of our founding fathers.

For eight years I served here and for a term as president of this body, those of you who served with me know that I've always articulated the importance and the necessity of this separate but equal branch of government to exercise its function under the charter to exercise its obligations and responsibilities in that regard. There were times in my eight years where I saw this body together as the team push back on the executive office when this separate but equal branch of government felt the need to do so.

There were times where we disagreed with legislation, there were times when we brought in our own legislation, there were times when we communicated effectively with our executives when I served. There were times where we were able to resolve issues, there were times when we were not. But when we did those things, we always did those things for the best interest of the residents of this county whom we were elected to serve.

We all worked hard to get to those seats. We circulated petitions, we knocked doors, we campaigned and we stayed in touch with our constituent base as I have seen this body do as well. Now, there have been many articulate speakers that have come before me, and I expect we will continue to hear many articulate speakers on the substance of the legislation that you are now poised to vote upon to override a veto.

Ask yourself, and I'm sure you have - ask yourselves where you are right now, because this is certainly a question, if I had chaired that committee and released that bill for a vote, I would have done. What's left to discuss? It's not as if this popped out of the sky and was rushed through this legislative body. It's been here for years. This debate has been discussed for years, it's been vetted, you had been lobbied, you have done your due diligence as elected independent separate but equal legislators to the executive. You made your decision.

It wasn't even close. Eleven (11) to four. Ask yourselves what you've seen in the last ten days that could possibly convince you to change what you've already done. I would submit to you nothing. So show this county - show this state, show everyone who supported this new form of government 22 years ago that you are a separate but equal branch of government and not a rubber stamp legislative department of the chief executive. Thank you very much.

MR. POPOVICH: What do you say to that? I am not Mr. Burns. I am Thaddeus Popovich, and I reside at 1654 Stone Mansion Drive, in the borough of Franklin Park. And it's good to see my council representative here tonight.

I'm going to show you a book, I hope some of you have read it, maybe not, called Amity and Prosperity, One Family and the Fracturing of America. It's a winner of a 2019 Pulitzer Prize for general non-fiction by Eliza Griswold. I got to meet her, she signed my book.

The book tells a story of Stacey N.A., a local nurse working hard to raise her kids and keep up her small farm when the fracking boom comes in her hometown of Amity, Washington County.

Naively, I believe, she strikes a leasing deal with a Texas-based energy company we know as Range Resources and endures a seven-year struggle and crisis of values with her community. No one should have to put up with that. Please read the book and confirm that you voted your conscious this evening.

I leave you with two quotes from the book to ponder or to consider. Here's one. When the poor and needy seek water, and there is none, and their tongue fail with for thirst, I, the Lord, will hear them. That's Isaiah 44 verse 17.

The second, the Appalachian problem doesn't seem to me to be political, economic or social. I believe it is a spiritual problem and its name is greed. That's from our Appalachia via an oral history edited by a couple good people.

My values came to the forefront when our community struggled with the possibilities of fracking. Acord Park 2011 in the Avonworth municipal authority signed a lease without checking with anyone because they had one day to sign it. It sounded like a used cars salesman deal to me. But our other communities in the

area stood up and said we won't have it and got the five - the north boroughs to vote against it.

Shannopin Country Club, 2014 in Ben Avon Heights, they said they needed to have fracking underneath their golf course so they could improve their irrigation system. One mile from where I lived when the crow flies. Range Resources again. Okay. And we fussed so much they backed away.

And third, Linbrook Park in Franklin Park Borough in 2019. We fussed a lot there. Thank you Doug Shields and Food Water Watch. We citizens showed up to tell our municipal leaders that our parks are the people and should be left pristine. Our leaders listened to us, we would like you to listen to us tonight. Thank you.

MS. PETERSON: This is going to be fast. Anais Peterson. I live at 125 Woodshire Drive, Pittsburgh, PA 15215, and I am the Petrochemicals Campaigner at Earthworks.

Once again, I am here today in support of Bill 12162-22 and to urge council to vote yes to overturn the veto. This is my third time speaking to council about this bill, and I'm grateful to President Catena for calling a special session for this vote, because Rich Fitzgerald's opinion is bought and paid for by the fracking industry and is not more important than the opinion of the 11 members of council who voted yes on this bill. And the opinion of one man in his final year of his final term in office is certainly not more important than the flood of Allegheny County residents who want to see this bill turn into law.

It is clear that Rich Fitzgerald has no interest in representing the interest of the residents of Allegheny County. It is also clear that he has no interest in protecting Allegheny County residents our or parks. In fact, on July 13th, he tweeted, and I quote, the bill I vetoed is just about our parks and doesn't protect the people we're elected to represent. To put it simply, that's ridiculous. Because funny enough, people are part of the environment and by protecting our parks, we are also protecting the people who use them.

Since the vote on the 5th, I have been talking to people about the veto and having them contact their council members to vote yes. And there are two things that happened. The first one is as soon as I say, oh, it was a county executive who vetoed the Bill and someone

would go oh, you mean Rich Fitzgerald? He's terrible. And then they'd stand there and listen to me because they also know Rich Fitzgerald sucks and they wanted to hear what terrible thing he did now.

The second thing that happened is that people were shocked that they were actually calling to say thank you for something, because we are so used to our government at every single level letting us down, and we are so used to Rich Fitzgerald in particular selling us out, and it feels so surreal that we were in this moment on the brink of something good. We are so used to just having to fight back against the bad.

So tonight we've heard a little bit about the benefits of industrial activity in our park, but I want to talk briefly about Boyce Park, which is something we haven't talked about enough or at all tonight, or in the debate about fracking. So this video - I know it's going to be small, but I'll just kind of rotate it, if you haven't seen it yet. I think Councilmember Hallam might have shared it, but this is a video taken at Boyce Park this Saturday. This was taken by Earthworks Certified Optical Gas Imaging Thermography who went to go look at what we thought was abandoned conventional infrastructure in the park.

Our thermographers use a flair camera calibrated to detect an air part of electromagnetic spectrum. Hydrocarbons absorb infrared light and the camera can record the presence of 20 volatile organic compound gases associated with oil and gas. These are the exact same cameras used by regulators and the industry to find problems. What you see here are toxic highly pollutive hydrocarbons.

What our thermographer found in Boyce Park was marginal conventional wells bringing methane and VOCs into the park. It was so bad, in fact, she had to wear a respirator before she took this footage. Let me say that again. A visitor in Boyce Park in Allegheny County had to wear a respirator in the park because of industrial activity going on there.

Lastly, I want to say between July 5th and today, no news has broken that has redeemed the fracking industry. No news saying oh, you know what, maybe it is actually safe. There is no new data that can justify changing from a yes vote to a no vote. If you voted yes two weeks ago to come here today and vote no, then there

is only one reason, you have been bought out and you're beholding to a county executive in his last term in office than your constituents, and nothing you can say can justify -

PRESIDENT CATENA: Thank you.

MS. PETERSON: - I guarantee you it is very okay to paint all fracking companies with a broad brush and say they're bad.

MR. RICCARDI: My name is Stephen Riccardi. I currently live in Morningside in the City of Pittsburgh and I am, of course, here to speak in support of overriding this veto. So I want to thank County Council Women Hallam and Prizio for unwaveringly supporting this legislation through the process. I want to thank Council President Catena for your urgency in making sure that this special meeting was called and that this measure got the chance it deserves.

In comparison, frankly, I find the county executive's action, filing his backdated veto minutes after the last regular session of counsel cowardly. I find it telling that he knows what he is trying to do is wrong. That it benefits only the fossil fuel executives he solicits for campaign donations in backrooms, and that it goes against the will of the council, and more importantly against the will of the people of Allegheny County. And I'll add that it's supported by the fact that he is not here today to defend his veto.

It's the people of Allegheny County that this question is ultimately about. There's bigger concerns about the climate and the fact that any fossil fuel development at this stage amounts to climate denialism and locks us into years of warming. There's technical concerns that people smarter than me already have addressed regarding womb to grave health impacts from air and water pollution, documented is linked to fracking, but at its simplest, most tangible and most within the scope of this body, this is about public resources. We have parks very simply for the public. We have them because we as a community made the decision that accessible natural good is a public good.

These are spaces that we are all free to enjoy. We can go there to throw or kick a ball around with our friends to teach our kids about local wildlife and plants and especially since the pandemic, as someone already mentioned, they have been our refuge to gather with our



families and the people that we love safely. And they are ours to do that in.

Tonight we are here to make it clear to the fossil fuel industry, to Rich Fitzgerald and to everyone still planning to vote against this override, these parks are our land. We are sick and tired of letting the oil and gas industry exploit it and make private gain off our public lands, and it is at least a week overdue but truly years longer that we call this question settled. Thank you.

PRESIDENT CATENA: Next ten.

MR. BARKER: The next group is Bill Brooks, Helen Gerhardt, Steve Karas, Keilah Vidal, Laura Sohinki, Ronni Weiss and NaTisha Washington.

MR. BROOKS: My name is Bill Brooks. On behalf of the Pittsburgh Building Trades, which I am the president, I'd like to speak to council.

We would urge council to support Bill Number 12357-22, which would protect the county parks and surrounding communities by requiring comprehensive, environmental and community protections for any subsurface natural gas or mineral right extraction lease on county park land. Thank you.

PRESIDENT CATENA: Thank you.

MS. GERHARDT: I'm Helen Gerhardt. I live at 7447 Penfield Court in North Point Breeze, Pittsburgh. I want to thank this body for voting for all of our interests. Not only our most immediate interests but the longer term - really the survival of us as - as a civilization. You know, this planet is going to make it, but we see what's happening in Europe, we see the raging forest fires, we see what our dependents on fossil fuels has led us to. In terms of the long-term possibilities of us actually making it as a healthy society.

So I work with all sorts of people in my job over years who have been so damaged by our air, by our water, people who have died of cancer, people who - their children, and they suffer from asthma. They drink water that has been poisoned, so I ask you to build from this decision. Please do override this veto and then be working together with all levels of government with the people in this room, with all the expertise and caring and commitment that you see represented in your community and at the city level, at the state level, at the national

level. Let's end the use of fossil fuels. Let's build a foundation for our collective future. Thank you so much.

MS. SOHINKI: The Greater Pittsburgh Chamber of Commerce, an affiliate of the Allegheny County Conference on Community Development urges Allegheny County Council to vote against overriding the county executive's veto of Bill 12162-22 and to sustain the county executive's veto.

We believe overriding the veto would send the wrong message about Allegheny County's dual commitment to a vital economic future and a high quality of life for all residents.

The mission of our organization is to improve both the economy and the quality of life of the Pittsburgh region. Our position today is based on the sustainability principles that were adopted by the Board of the Allegheny County Conference - I'm sorry, the Allegheny Conference on Community Development in 2019 to provide a framework for decision-making that balance a healthy economy and a healthy quality of life.

Over the past 11 years, the county executive has been a strong partner in this regard, striking the appropriate balance between efforts to responsibly grow the economy and population while ensuring that the county is a place where all people can enjoy a high quality of life that includes among other things, access to all preserved greenspace and parks.

Overriding the veto runs counter to the progress we have made. In addition, as detailed in the veto message, an override would tie the county executive's hands while when it comes to intervening appropriately and proposed drilling activity that would affect county property.

While there are no plans at this time to enter into a lease to allow any drilling related activity on or under any of our parks, the county has demonstrated its ability to ensure that such activity can be conducted responsibly and beneficially in cooperation with local municipalities. For example, we are seeing the benefits of exploration at Pittsburgh International Airport in both revenue and economic development. A veto override would take away the ability of future administrations and council members to evaluate leases on a case by case basis and make their own decisions, an ability that we believe is in the best interest of the county and its future.

The parks are an extremely important part of the quality of life in Allegheny County. We believe that we can and must demonstrate that we are open for business while protecting our parks. We believe it is vital to highlight both aspects of the county.

We encourage counsel to preserve the ability to continue to work with the county executive on a case by case basis to address these concerns while sending a clear message that the county welcomes business investment. Thank you.

PRESIDENT CATENA: At this point we're about halfway through the speakers, so it's about 6:20, so if you just want to agree and yield time, you can more than do that, because I'd love for everyone to see how we're going to vote tonight rather than keep you in suspense, so I urge you to let's move this along as quickly as possible so we can get to the vote. Not that we don't want to hear from each and every one of you, but I'd like to get to the vote at some point in all honest.

So Jared, please call the next group.

MR. BARKER: The next group is Kelsey McNaul, Mel Packer, Mary Zuccaro, Virginia Zajac, Beverly Filtz, Michael Rotz and Patricia DeMarco.

PRESIDENT CATENA: Go ahead, Mel.

MR. PACKER: Sorry, Pat. I'm going to talk again. Mel Packer, I live in the City of Pittsburgh. I was really reluctant to get up here. I was afraid I was going to trip over some of the long noses that should be growing out of the faces of some of the industry supporters who have made some pretty outrageous claims here.

For example, chase it away. Are you serious? Going to chase it away because they can't frack in a county park? They're going to leave for that reason? They told us that in 2010, if you ban in the City of Pittsburgh we're going away, we're never going to come back. They held a convention the next year, and they have been rolling over us ever since. That's a lie and you know it.

They are not leaving. And you know what - and do you know what, if they do leave because they can't frack a few county parks, they deserve to leave, because it's a Ponzi scheme and a scam, that the industry deserves to collapse. I heard the figure of a hundred thousand jobs. Are you kidding me, nobody believes a hundred

thousand jobs. They are, in fact, where there were less than 24,000 jobs in the fracking industry. You get to a hundred thousand by counting every gas station attendant who pumped gas into a truck from Texas, because they came up there to frack the wells, and they go back home and 98 percent of those jobs are temporary and people don't even live here. That's how they get to a hundred thousand, it's a total lie.

Let me tell you something, there are ten times as many Pennsylvania jobs in outdoor tours and recreation. Do you know what those are? Those are parks. People like to go to parks. Ten times as many jobs. There are 11 times as many in agriculture. How about the economic benefits to the State of Pennsylvania? Fracking makes \$583 million a year, that's a lot of money; right? Tourism brings \$29.1 billion, 55 times more. That's people who go to parks because they expect to see a park and not an industrial site. Nobody says let's go to Park Clairton. Who the hell wants to go to Clairton and call it a park? Nobody wants to go to Round Hill, nobody wants to go to Hartwood and see a drilling rig and a flair sitting on the edge of it. That's not what parks are for.

That's how much money comes into the state from those other industries. Agriculture brings in \$135.7 billion. Agriculture needs clean air, clean land and clean water. People are going to move into southwest Pennsylvania. They're driven, they're climate refugees, they're going to come here. One of the things they're going to do is they're going to check out the state, they're going to check out the county, they're going to check out the park, they're going to walk in and they're going to say this is a park. Are you serious? There's a drilling rig there, just a few hundred feet away, and it's flaring. Are you serious? This cannot be a park, why do I want to come here?

And you'll start looking at some other places. This is not the image we should be projecting here. You should override the veto. And just to council I want to say, you've come a long way, baby. You're standing on your own two feet. Keep it up. We're proud of you.

PRESIDENT CATENA: Next ten.

MR. BARKER: The next group is Ken Zapinski, April Clisura, Brian Joos, Danielle McGuire, Debra Fyock, Illyas Khan and Boomba Nishikawa.

PRESIDENT CATENA: And again, if you don't want to speak you don't have to. No pressure. No pressure.

MR. ZAPINSKI: My name is Ken Zapinski, Allegheny County resident and director of research and public policy for Pittsburgh Works Together and Alliance of Organized labor, workforce and economic organizations and companies in the energy, utility construction, manufacturing and industries.

We promote a diverse economy that provides economic opportunity and quality of life for all residents no matter where they live. At a time of rising energy prices and global shortages, we should be discussing ways to increase production of natural gas to lower costs, improve the environment and boost living standards. Instead we are fighting to maintain access to one of the most valuable natural resources in the world.

Everyone agrees that drilling and fracking should be done in a way that minimizes emissions and protects the environment. Despite what some may claim, responsible companies in the natural gas industry have shown that they do so. The U.S. leads the world in reducing carbon emissions over the past decade on the strength of Appalachian natural gas. At the same time, air quality across the country and in Allegheny County has and continues to improve as natural gases replace coal as the primary fuel for electricity production.

We cannot replace fossil fuels with power generated solely from wind and solar. Furthermore fossil fuels are needed to produce and transport the components needed to build wind turbines and solar panels, including plastics, carbon fibers, rare earth minerals and real lightweight wood timbered from forests around the world. Our members believe in a diverse energy portfolio, which includes the use of natural gas, hydro wind, solar and nuclear power generation.

What we need are smart policies and laws that balance all factors involved in protecting the environment while protecting and creating jobs and ensuring the energy reliant lifestyle we enjoy.

We encourage you to sustain County Executive Fitzgerald's veto of Bill Number 12162-22 and instead support and improve - approve Bill Number 12357-22, which addresses environmental issues, including water testing, air monitoring and limited hours of operation to prevent noise and light pollution. To address our environmental

and energy issues, we need to deal in facts, not disinformation and political theater, the issues are too important.

MS. CLISURA: Good evening, April Clisura. I live at 347 Kaercher Street in Pittsburgh. The allure of passive income, that's what we're mainly talking about here tonight. Somebody tells you they can just remove some natural resource from under the property that you own, surgically and titely, and then pay you. But it's not just about the passive income.

For example, we wouldn't allow logging in the county parks. We wouldn't allow surface mining in the county parks. Those are all too unsightly. I'm not sure why the county executive and the few county council members who voted against the restriction on industrial land uses believe that fracking is something clean and tidy that causes no harm.

Drilling companies are cultivating this image. Shale gas drilling is not passive income with no strings attached. We figured out how to get that gas out of the ground under our feet. But the problem is in the implementation. Scientists who have done the peer-reviewed studies can tell you about the harms. Most disturbing to me is the finding that low birth weights and maternal health problems are higher in proximity to frack wells.

In person, I've heard from farmers who have had very bad experiences, and I've heard from a former safety inspector, for one of these companies who said they know about the radiation and they do nothing to protect the workers.

It's not about killing and destroying innovation and having balance. If you want innovation, make our county a leader in technologies that will interrupt this carbon dioxide and methane downward spiral we are in. It's paradoxical that the companies with the most bedrock in our economy are the ones that will ultimately drag us down.

I want money to pay for our roads, but I don't want radioactive wastewater from fracking spread our roads calling it an anti-icing agent.

Finally, our parks are for people, not for profit. That's a principal we should be proud of. Keep park uses compatible with recreation and culture and have some standards. Thank you.

MS. FYOCK: I'm Debra Fyock, Mt. Oliver Pittsburgh resident for 39 years. I also have a farm in Evans City, Pennsylvania. In 2011, my father signed a lease agreement with a fracking company joining our farm with several others in the valley. After this death, my sister and I were left to negotiate the terms of the agreement for our mother.

We learned a lot about the industry, the law and negotiating. We decided that if we now had to become oil and gas whores, we might as well take every single dollar out of the company's avaricious pockets. My experience with this and subsequent oil and gas corporations, we have been forced to deal with is that like any pimp, they are after one thing only, profits, that's it.

They don't care about you or you or you. They just don't. To forget that fact for one second is to invite trouble into our parks.

In negotiation, they were and are deceptive, opaque, dishonest and unconcerned with health issues or the serenity, beauty or accessibility of the land for the people who live on it. But what did they care? Most of the folks dealt with - in fact, all that I can remember weren't from Pennsylvania. To this day, these outsiders are constantly pushing the envelope to produce more wells, lay more pipe and perform various operations on our farm to help in their greedy expansion.

Through our negotiations, they can't place wells on our property or take out their expenses before we get our royalty check, as unfortunately happened to many of our neighbors. We always remain vigilant. I do not labor under the delusion that the companies involved in fracking in our county park land would be any different when negotiating terms or adhering to agreements made by our elected officials, nor that some of our elected officials would be as scrupulous as we would want in their demands and oversight of these companies. Their operations will certainly present a threat to public health in the form of airborne radiation and toxic pollutions for starters.

Once they've gained a foothold it will be difficult, if not impossible to curtail the predatory efforts to expand and at whose expense? Ours, not theirs. In conclusion, our families often stop to enjoy North Park along the way from Pittsburgh to the farm. My husband from Troy Hill claims that some of this best childhood memories are of climbing trees in the park, competing with

his brothers to see who can climb the highest. North Park is a source of wonderful memories for us.

I urge County Council to consider the overwhelming support for this Bill from the many people who place their trust in you. Protect our county parks for the public to fully enjoy and continue to create lasting memories. Vote to override the executives inexplicable veto that has disappointed so many of his constituents. Thank you.

MS. MCGUIRE: Good evening, everyone. I know that we have 75 people here to speak today, and we are up to 56 now, so I will try to keep this brief.

My name is Danielle McGuire. I am a resident of Pittsburgh, and I am here to urge you today to override Rich Fitzgerald's veto of the Bill to ban fracking on public lands.

I want to sincerely thank the 11 of you that voted to pass this Bill and protect this precious resource for future generations. And I am deeply, deeply upset, as I'm sure that many of you that the county executive has acted in such an undemocratic manner against the will of the people, against the will of the Council, against the best interest of his county and its constituents to line his own pockets. And I'm not too concerned, though, because I know that with 11 votes to 4 votes that this veto will be overturned and that this council will not allow Rich Fitzgerald to undemocratically impose his will.

I am not paid to be here today, most of the people here are not paid to be here today. Despite Range Resources apparently sending anyone who would come, we outnumber them, because the people do not want this. And we said that a month ago and we will say it again, and we will say it at any meeting you need us to, we'll say it on any ballot you need us to. So once again, please vote to overturn this veto, to protect these parks for the people of Allegheny County, for the people who are not here yet in Allegheny County. And thank you, again, for your time.

MR. KHAN: Hello, again, some of you. My name is Ilyas Khan, 12919 Commercial Street, Pittsburgh, PA 15218. And I want to start by saying I'm here tonight representing the youth of this county, because I don't see any young folks coming up here saying, wow, gee, county council, I would sure love a fracking well in my local park, please place one there today. No, none of us are doing that.



So I'm here today to say, please overturn this veto of Bill 12162-22 and fight against Rich Fitzgerald's bizarre, whatever this is.

I'd like to say to the 11 of you who voted in favor of this, I would love to buy you all a Boba if I could. I'm sure that it's not as much as Rich Fitzgerald's being paid to veto this Bill, but if it means anything to you, Boba's on me. To the four of you who voted against this, I hope you'll consider my offer for Boba to sway your vote.

I'd like to say that a lot of people have been talking about keeping people here in Allegheny County and jobs and innovation, and as someone who is going into college in Carnegie Mellon may I just say, on all three of those counts, keeping people in Allegheny County, you think people want to stay here because we've got fracking wells in our parks? Is that what they're staying for? No, they're staying for the parks. They're staying because we can provide them amazing jobs that don't involve, you know, destroying the nature around us.

If you want to talk about innovation, I know some wonderful juniors at my old high school who will knock your socks off with the kinds of technology, with the kind of cures for cancer and other disease that they're thinking up in their little heads right now. So if you want to talk about innovation, go to any local high school. Why don't you fund education with all of the money that's being pumped into fracking right now?

And if you want to talk about jobs, boy, there's a lot of young people out there right now who could sure use employment, and there are definitely a lot of places that they could be employed other than a fracking well that's going to give them lasting health problems for the remainder of their lives. So please, why don't you consider supporting local businesses and local industries that aren't destroying the planet and aren't destroying health and life for young people, and instead giving them green healthy well-paying union jobs that keep us here in Allegheny County. I will stay for the green paying union jobs and the Boba, but mostly the green paying union jobs. And I hope you all will consider what I am saying tonight and will consider making sure that this is a county that we want to stay in and also the Boba.

Have a good one.

PRESIDENT CATENA: The next ten, I guess.

MR. BARKER: The next set is Sinan Dogan, Dianne Peterson, Barbara Brandon, Will Dorna, Max Sussman and Krystle Knight.

MR. NISHIKAWA: Power to the people. First off, Boba in Pittsburgh, it's okay, Toronto a lot of better. One thing I like to do when I am in firm opposition to something is look at the opposition view, right.

J.S. Mill tells us that we either find one thing that our opinion is wrong, or second, we get a firmer understanding of the truth. Second, I believe that morals are relative, so let's put aside my ideals to make this a experiment. For the sake of realism, through this thought experiment, let's say I was born to activist parents, Midi and Ernest. In university I joined the Young Democrats to continue my work on social justice and political projects.

Later I joined the Volunteers and Service to America, who describe one of their prerogatives to be addressing poor health of communities. Later in my life, I formed initiative to help alleviate poverty from communities and combat racism.

Now that we know what I stand for, let's lay out some of the facts on fracking. Fracking is increasing now and contaminates water. Dr. Rick Erickson of the University of Maryland in 2019 tells us that fracking led to huge volumes in wastewater industry, drilling even longer horizontal wells. Uses on average, 40 million liters of water for a single horizontal well. Water that comes off has a much different chemistry than the water that goes does, includes salt, radioactive substances and chemicals added during fracking. A study by the EPA found fracking fluid spills on drilling sites infiltrate aquifers. In Texas 70 percent of the wells near gas tested positive for chemicals.

Fracking generates hazardous air pollution. A peer-reviewed study analyzed air study analyzed air samples near fracking sites in states - in five states. Forty (40) percent tested positive for toxic chemicals, such as formaldehyde, hydrogen sulfide and that levels were a hundred times of what is life threatening.

Studies show that chemicals persist even after treatment. Fracking water is toxic and can be deadly to vegetation. Most importantly, damaging can be long lasting. Scenic vistas and drilling pads are - I mean, scenic vistas are replaced with drilling pads and harms tourism and recreational industrials such as hunting and

fishing. Even after weighing in the revenue, brought by drilling, local communities suffer a net loss from gas development, because communities must improve roads and infrastructure worn away. And also increase spending on emergency sewer and social services.

Benefits are not evenly distributed across the community, leaving economic insecurity. I'm sure I don't need to explain environmental racism to you. Even if economic benefits aren't evenly distributed and don't last, I can understand ignoring them to pad my pockets, because after all, marginal short-term benefits are going to pave my road for re-election in 2023. Or if I don't choose to run, my name will be in a positive light.

But what I don't understand is how can I drive down Webster Avenue to my home, how will I live with the guilt? How will I be able to reconcile my values of standing for a community fighting poverty and racism with allowing fracking to happen? How will I be able to make amends with what Midi and Ernest stood for? Power to the people.

MR. DOGAN: Good evening. My name is Sinan Dogan, and I live in 509 South Trenton Avenue, Wilkesburg. I'm also a teacher and research at University of Pittsburgh. My job is to investigate the impacts of the environmental degradation on the human psychology in individual and community levels.

It is well-established that fracking for residents and workers involved and living nearby, fracking communities experience a wide range of illnesses, including leukemia, lymphoma and silicosis. And physical symptoms such as fatigue, headache, delirium and various respiratory, gastrointestinal and immunological problems.

Many workers and residents develop neurological symptoms, problems with balance, disorientation and fainting, cognitive dissonance, deficient, developmental delays and neural tube problems in infants.

There's an abundance of evidence just from PA and Ohio Valley that fracking communities experience abnormally increase the anxiety and mood disorders and stress. In community level, having to bear the cost of activity of others, what we call negative externality, disrupts already weakened social support systems and social fabric.

Residents of Allegheny County are familiar with having to bear the socioeconomic and psychological costs

of someone else's short-term profit making. We can't talk about the fair justice system, if our representatives neglect environments destruction of our air, water and land.

We see that air, water and noise pollution lead to irritation, unease, stress and sleep disturbances. It shouldn't be surprising that these symptoms are being expressed as low economic performance, high crime and decreased productivity. We should refuse to pay for someone else's gold rush without sanity, safety and future. And with all due respect, you should move forward to ban fracking in Allegheny County parks. Thank you.

MS. PETERSON: Hello, again. I'm Dianne Peterson, 125 Woodshire, Pittsburgh, Allegheny Council - Allegheny County member - resident.

Thank you for your historic vote, 11 to 4 voting to ban industry and especially fracking in a park. Thank you so much. And as nice as it is to see you again, I am bummed we have to be to override your votes and to override the veto that overrides your vote and overrides our will, but here we are.

And a thank you to all of us who showed up, and if you haven't seen us overflowing in the hallway of all the residents who showed up. And a shout out to the people that I haven't seen here in eight years, a lot of people that look like businessmen that I've never seen before. And I thank you ahead of time for doing the right thing. You know what the the right thing is, you know the voting - the veto - repelling this veto is the right thing to do, so I thank you ahead of time.

Since we last met in this room, I met with folks from Districts 9, 11, 12, just people in the public. And mostly I met with folks from your district, Councilman Walton, from District 10. I was not surprised that many did not know about this issue, and I was surprised that some even didn't know what fracking was. But they were very interested, they had lots of questions, and we spent a lot of time together talking.

And I am so - well, maybe you heard from some of those people I talked to. I don't know. And I was so energized to see how excited these people were to learn this information, to think about their vote and to think about this issue. I also spoke to my council member, and I know that you got hundreds, maybe thousands of e-mails and letters and phone calls, and from what this person

told me, you only got three in support of not banning fracking, yikes. So who are you here for? So can you raise your hand if you live in Allegheny County? Raise it high. Okay. Put it down if you're not in fracking? Put it down if you're not in fracking.

Okay. Where are the rest of you people? Raise your hand if you are fracking. Do you have the guts? No, you don't. You don't. So who are you representing here? Who are you representing? You know, when I was here last time, we gathered in this room, I heard each of you voted no say publicly, well, of course we don't want fracking in our county parks. I heard some of you say it on the news. I'm sorry that it didn't make it to the news, but I was really glad to hear you say it.

How the heck can you not vote against this? Sorry, how can you not vote to support this ban? Sorry. You got to.

PRESIDENT CATENA: Can you wrap it up, please?

MS. PETERSON: You know what the right thing is to do? You get \$10,000 to sit on that bench, that cannot be enough to not listen to your constituents. Do this. Vote against this veto. Do this for George.

PRESIDENT CATENA: Thank you.

MS. PETERSON: Thank you.

PRESIDENT CATENA: Next, Jared?

MR. BARKER: Next up we have Barbara Brandom, Will Doran, Max Sussman, Krystle Knight, Bill Caruthers, Angela Paxton, David Pfister and Sean Nolan.

MS. KNIGHT: Good afternoon, County Council. My name is Krystle Martha Knight. I'm the community organizer for the Thomas Martin Center, and we are absolutely appalled by the veto of legislation to ban fracking in county parks despite overwhelming support from Allegheny County residents and County Council.

The members of the Martin Center have fought fracking before in the past, in an effort to save our parks from fracking, and they already, again, say it clearly as possible that we must protect our parks.

And specifically, to Rich Fitzgerald, you should be ashamed of yourself for putting the health of both our parks and your residents at risk for the fossil fuel industry.

I can tell you about the parks that I like visiting and the recreational activities my friends and family like to enjoy there, but this is beyond enjoying a

pristine hike and bike trail. There are plenty of people who just never go to the park in the first place, but they're still going to be impacted by this irrefutable ecological devastation. We want to ban fracking, not only to protect our parks but to protect Allegheny County residents. It's critical that we do not allow this encroachment on our rights for clean air and water.

Public parks are public lands, and we should have a say what that does --- what does and what does not happen in them. More importantly, Allegheny County occupies the land of the Haudenosaunee, Lenape, Osage and Shawnee peoples. The TMC values both supporting environmental justice and sustainability while addressing the ongoing harm of colonialism.

We question what meaningful efforts are made to reach out to indigenous people who still live here. We also ask, how seriously are you listening to land and water defenders when they demand no new fracking, pipelines and oil extraction on their ancestral land?

County Council should make sure the Bill to protect county parks from new fracking development gets made into law by overriding the county executive's veto. there's no such thing as clean natural gas, and much like the climate crisis, this should not be up for debate. The fact is that we're dangerously close to the point of no return in handling - the fact is that we are dangerously close to the point of no return in handling the climate crisis and fracking is not a solution to solving it.

Once again, shame on you Rich Fitzgerald. But to County Council, thank you for passing this legislation, now let's override the veto today. Thank you.

MR. SUSSMAN: I'm Max Sussman from 664 Montclair. I'm coming before the County Council today to ask that you uphold your very own decision and override the County Executive's veto. I've actually been sitting here through the past two hearings, the hours and hours of testimony. And I've been sitting through speaker stories of how the public parks of Allegheny County have become places and times in their lives where they found, beauty, comfort, adventure and community.

They have a lifetime of memories of these wonderful places. I'm asking you to override the veto, because I haven't had these chances yet.

Less than a year ago, my wife and I left our home in Phoenix, Arizona and we moved to Pittsburgh.

We've gotten jobs, we bought a home, we've made friends, we've built a community. And sitting through these hearings I've gotten to hearing about all these amazing experiences I might have to look forward to in my new home, but what happens if you, like - you guys don't override the veto. I'll get robbed of that. The family I'm starting will never have the childhood memories that so many of these people have today.

So please, for my future kids, override the veto. Thank you.

MR. CARUTHERS: Hello. My name is Bill Caruthers, and I'm an Allegheny County resident as well as a lifelong Pennsylvania resident in Franklin Park. I've worked in the natural gas industry for the past 12 years. I've seen firsthand the benefits of natural gas production. My job as land man allows me not only to provide for my family, but insure that our resources are extracted and utilized in the most efficient and most responsible way possible.

I work out in the field of operations, land owners and local officials and see every day the care we take to do the right to protect the environment. My other role in life is also a parent, and that's something I'm very passionate about. And I'm proud to say that I frequently take my kids and family to Deer Lakes Park. I have two young sons and two nephews who absolutely adore going to the splash pad and playground together.

If I had any doubt about their health and safety I wouldn't be there. We don't just work here, we live here and enjoy the same amenities and natural resources as everyone else in the county.

Let's be clear, tonight's vote isn't about the county parks. We're not here advocating that we drill in the county parks. Tonight's vote is about who we want to be as a region. I encourage council to vote against veto override. Thank you.

PRESIDENT CATENA: Thank you. Please be respectful.

Let's do the last group.

MR. BARKER: The last group is Angela Paxton, David Pfister, Sean Nolan, Mary Weidner, Erica Jackson, Bob Nishikawa, Margaret Marhoney, Keturah Wasler, John Dunmire, Vincent Kolb and Yvonne Smith.

PRESIDENT CATENA: Okay. It looks like we have, maybe one.

MR. NISHIKAWA: I'm Bob Nishikawa, I'm a resident of O'Hara County. I was going to defer, but you saw that video earlier that my daughter showed. I have the person who took the video's letter, and I'm going to read it into the record.

My name is Melissa Oxtroff, I'm a certified optical gas thermographer and trained - with training from the Infrared Training Center, a technical certification commonplace among private industry and regulators. I use an optical gas camera in my work at EarthWorks. The OGI camera is capable of making visible oil and gas pollution that is invisible to the naked eye.

On Saturday, July 16th, I joined community members, including members of the community group Protect PT at Boyce Park at Allegheny County. Our aim was to investigate abandoned oil and gas well sites, common in this part of the state. However, during our investigation we came across a strong odor. Upon investigating the odor further we discovered a well site surrounded by overgrowth, and with closer proximity, a potentially dangerous level of air toxins.

At this point I'd advise the community members to stay away from the site. I returned to my car to get more protective gear. Using my camera I found intense emissions of methane and VOCs coming from this wellhead. Having recorded this - having recorded this emissions event for several minutes, I documented no fluctuation but instead a constant stream of pollution.

The serious pollution event was occurring within a public park in which children, families and other athletes such as runners were engaged in activities. I filed the complaint with the PA Department of - sorry, Environmental Protection yesterday, including the video submitted to you here today.

This example is clear evidence as to why recreational spaces and oil and gas infrastructure are not compatible. My organization documents oil and gas pollution all across the county. The evidence that we have collected backs up the studies and the reality that the industry has always known. Oil and gas infrastructure leaks and oftentimes are built to release pollution intentionally. For these reasons, to protect public health, oil and gas in public spaces are a bad mix. Thank you.



PRESIDENT CATENA: So at this point in time, I believe public comment is over, so we'll move on to new business ordinance and resolutions.

12375-22.

MR. BARKER: That's a motion of the Council of Allegheny County overriding Chief Executive Rich Fitzgerald's veto of Bill Number 12162-22, entitled An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, Division Six, entitled Parks and Recreation, through the creation of a new subchapter 680, entitled Certain Agreements prohibited, in order to prohibit the leasing, sale and/or any other agreements that would permit or otherwise facilitate private and/or public entities engaging in any industrial or commercial land uses within Allegheny County's parks, sponsored by Council Members Hallam and Prizio.

PRESIDENT CATENA: Thank you.  
Councilwoman Hallam?

MS. HALLAM: I would like to make a motion to approve this veto override, and I'd ask for a second.

MS. PRIZIO: Second.

PRESIDENT CATENA: Motion has been made and seconded.

At this point in time we'll have discussion. And I'm just going to go down the line through everybody, so everyone has an opportunity to obviously talk. So we'll start with Councilwoman Bennett.

MS. BENNETT: I just want to thank everybody for their comments tonight. I was listening and I heard, again, way more support for the override than I did hearing the opposite, so I will be voting to override the veto this evening. Thank you.

PRESIDENT CATENA: Councilman Betkowski?

MR. BETKOWSKI: I wasn't actually planning on making any comments today, but I'll say something just briefly, that it does make a difference when you show up, it really does. It may not feel like it all the time, and I realize that it's far from convenient to come in the middle of rush hour, find a place to park or come down on the bus and be here, but it does make a difference.

And I want to thank you all for being here, and I think that's all I want to say.

PRESIDENT CATENA: Thank you. Councilman DeMarco?

MR. DEMARCO: Thank you, Mr. President. I think there's no doubt that the veto override is going to pass this evening. But I'd like to make a few comments here, and they are - my issues with this ordinance remain unchanged from last month. It is the solution in search of a problem. No one is currently looking to frack in any of the county parks. No one is currently fracking in the county parks on the surface, and that's based upon the fact that there's not a single well pad or other surface extrusion in Deer Lakes Park.

We get it. Many of those assembled here believe fracking is bad. I venture to guess that the overwhelming majority of the speakers here aren't just opposed to fracking in the park but to the use of fossil fuels, period. I understand that as well.

Many of the speakers have commented that they were here eight years ago when the initial decision to extract natural gas from underneath Deer Lakes Park was made. Eight years. In the eight years since, there's not been a single other attempt to drill within or under any of our other parks. Not one.

So why this Bill and why now? Why the urgency when there is nothing currently or even proposed before us that we must defend our parks from? One speaker questioned why others didn't speak earlier? Possibly because they view it as I do, as nothing more than political theater. As others have recognized, it doesn't stop anything currently proposed, because there is none. It doesn't stop the current lease because that was previously approved, and it doesn't stop anything in the future, as the future council can pass another ordinance permitting it. So again, political theater.

That being said we're talking about our parks, so let's start there. I won't belabor the key information points in that there's been no disturbance to Deer Lakes, that the lease for production under Deer Lakes, subjected the development to special heightened protections, including air and water quality monitoring, all which has shown no impacts whatsoever, all while generating \$15 million for our county parks. Money which has paid for many of the recent improvements in the parks themselves, such as the playground, splash pad, bathroom and shelter at Deer Lakes or the restroom at Wagman Observatory.

These are the same heightened protections that are in the alternative bill presented by Councilmembers

Futules, Macey and Walton and why I believe that Bill to be superior to this one.

But the dynamic behind this ordinance represents a much larger issue. In 2014 the Deer Lakes lease agreement was actually largely lead by the Democrats on County Council. Eight years later, it is the Democrats on County Council seeking to prevent any such similar future development.

This is emblematic of the shift in the environmental/climate policy of the Democrat party overall over these eight years. I'd like to say that this is just one small measure or only just deals with the county parks, but it is actually the next step in the long march against fossil fuels in Allegheny County. It isn't even the first step. As you'll recall anti-fossil fuel activists also caused the cancellation of oil and gas development on U.S. Steel property in April of 2021. Three weeks later - three weeks later U.S. Steel announced their state of the art, almost \$2 billion investment they had planned for the Mon Valley would be taken out of state. This costs thousands of building trades jobs.

It is pretty obvious that this ordinance isn't about protecting -.

PRESIDENT CATENA: Again, please be respectful. Go ahead, Councilman.

MR. DEMARCO: It is pretty obvious that this ordinance isn't about protecting parks as part of a broader strategy to threaten jobs, energy security and prosperity of the region by chipping away at the ability to produce natural gas, whenever and wherever possible. You have heard numerous speakers tonight reject, not just fracking in the parks, but hydraulic fracturing and the use of fossil fuels, period.

The well-funded anti-fossil fuel organizations usually funded by those with vested financial interests -. Mr. President, if some of these folks can't contain themselves, I would ask that you either -

PRESIDENT CATENA: Again -.

MR. DEMARCO: - silence them or ask them to leave the room.

PRESIDENT CATENA: Again, please be respectful of one another. Go ahead, Council.

MR. DEMARCO: The well-funded anti-fossil fuel organizations usually funded by those with vested financial interest opposite American Energy Independence,

or at a minimum, natural gas development will continue to push a narrative that fossil fuels are the problem, and solar wind are the solution.

Only in 2022 would we let facts be damned and get in the way to give any merit to such a suggestion that we have to look no further than Europe to see the results about that misguided view. European policy has shut down coal and nuclear plants in favor of solar and wind generation, backed up by natural gas imports, which until recently were primarily provided by Russia.

The end result has been skyrocketing energy prices and total energy insecurity. The most recent proof is Hungary declaring an energy emergency just days ago amid very real concerns that they won't have enough energy supply for the autumn and winter months. They aren't the only country in Europe facing this exact problem, so what are they turning to as a solution, they will produce more natural gas, and are now turning back on and increasing power generation at coal burning facilities which are much dirtier.

These aren't alone - these aren't alone in scrambling to ensure their citizens will have energy in the months ahead, and trust me, one way or another citizens will ensure they have energy. In fact, Deutsche Bank just put out an analyst note where they actually include mottling for fuel switching to wood combustion with households potentially needing to switch to wood burning this winter.

We don't have to look all the way to Europe to see how this dynamic plays out. In the winter months here in the United States in New England, when gas prices skyrocket and gas supplies are short due to the anti-fossil fuel policies, consumers are often turning to home heating oil. In all of these cases, one way or another, citizens will need energy and will find a way to get it, but in these cases the resulting fuel uses are actually works for the environment.

In the radical middle of the energy debate is a place where we must acknowledge that all energy has environmental impacts, but how can we best leverage our expertise, our resources and our technology to generate the most energy with the least impact is the question we must ask. Right now, indisputably that is American Natural Gas, develop the unconventional natural gas

production. In other words, horizontal wells, hydraulically fracked.

Anti-fossil fuel activists will say it is solar and wind. To be clear, these are not clean fuel sources. They demand significant mining with about 500,000 pounds of earth needing to be mined to create a single 600 pound battery, and most of the rare earth mineral mines and refining of these minerals for solar and wind technology exist in and occur in countries that don't like us very much. Countries like Russia, China, Afghanistan, et cetera. They aren't clean, and they do nothing to secure our energy independence when they rely on supply chains sourced to these type of regimes.

This is before you consider their unreliability. This past week it was regularly 100-plus degrees in Texas. ERCOT, the Texas grid operator was scrambling and on a razor's edge in meeting consumer demand. Why? Because the massive wind power that has been built out in that grid was only operating at ten percent of capacity.

The notion that natural gas development is harmful is not grounded in fact. Pennsylvania's air is cleaner than ever since Marcellus development began. The Susquehanna River Basin Commission, which has monitored water quality in the basin in proximity to natural gas production issues, the report regularly on its monitoring, and thus far there have been no negative water quality impacts. And in fact, the water quality is improving.

As far as emissions from the development, companies are doing more than ever before to minimize and eradicate leaks. Not only is the Appalachia Basin the cleanest producing basin in the world, but most of the major production companies in the basin have pledged to have net zero emissions by 2025. It truly is an economic and environmental miracle what is being done in Pennsylvania.

PRESIDENT CATENA: No, there is no time - there is no time for council members. So again -.

MR. DEMARCO: No one believed in their wildest dreams could have been achieved just 20 short years ago. One thing I find very ironic about the Deer Lakes debate is that the well bores themselves are more than a mile below the surface of the park, 7,000 feet. One mile. Even the state's top Democrat, Josh Shapiro, only proposes to increase set backs from natural gas wells to any buildings to 2,500 feet. So even to the state's top

Democrat, natural gas can safely be produced one half mile from any home or business, but we are to believe that it can't be safely produced for more than one mile below the surface of a county park. It doesn't add up.

If you need any details on any of the environmental progress of the industry, they're there to find out. Now, I just wanted to make sure that I did my part to pain the bigger picture at play here. There's a lot at stake for our county and our country as debate moves forward, but based upon what I've just shared in that this ordinance is overly broad and could negatively impact any of the - at least 61 current commercial leases we have in these parks, I will be a no on this vote this evening to override the county executive's veto.

Thank you, Mr. President.

PRESIDENT CATENA: Thank you. Councilman Duerr?

MR. DUERR: My comments will be significantly shorter. And that's not a shot to Sam, Sam came very well prepared.

So you know, one of the things I just want us to understand here, and I know there's a lot of people in this room, and a lot of folks here have e-mailed me throughout this process. And a lot of the folks in this room, too, as well know me not from my - just my position on council, but from my position working for and fighting for candidates across this region, some who have supported fracking.

And throughout my time working in this region, working for those candidates and working to understand the different intricacies of this issue, both from a regional and from a district standpoint. I just want to ask the folks in this room to make sure you understand that while we can argue about how many folks, you know, lives and jobs are tied to this industry, as long as there are some in my district, as long as there are some union members jobs who are affected by this industry, I'm going to continue to fight to make sure that they are represented through me. I am a Democrat. I'm supposed to be here to represent all working people, including those working in the natural gas industry, and especially those represented by the building trades.

There are unions out there that isn't just SCEIU, there are building trades and unions in this region whose members rely on these jobs and we need to work to come together, to come up with a solution, both

economically and environmentally that does not leave those members behind. So for the folks here tonight who are both for and against this issue, especially the folks who are for, I ask that when folks come up here and ask about their livelihoods, do not boo them. This is a serious issue for a lot of people. And a lot of peoples livelihoods are tied to this industry. And yes, we have a lot of work to do to get to a point where we can come to a solution that is good for everyone, both for the environment and for these working men and women of this region. And that is the task that the candidates that I have worked for during my time as a campaign staff for this region have been tasked with figuring out a solution for and one I will try and continue to find as we push forward here. So I would just please ask that from everyone here, because it's a serious issue.

The second thing is on the veto. I voted in favor of this Bill, because my - the constituents of my district strongly urged me to do so. I have already stated many times my concerns about the Bill's effectiveness. I do not mean that as a spite to the Bill's co-sponsors or to anyone here who might support the Bill. I always feel it is my job as a county council member to voice council member to voice concerns about any of the legislation that we have before us disparage the topic, but because that's just my job, and at the end of the day as long as I don't think, you know, the bill is outside of our scope or anything like that, the residents of my district have made themselves perfectly clear on this issue, and that was indicated by my vote when I voted in favor of this, last week or two weeks ago, whenever it was - time is, you know, a flat circle it's - you know, it feels like we've been all - the same people have been in this room three weeks in a row.

But my vote tonight will be another indication of the will of my constituents as well, so I will be voting to overturn the veto of County Executive Fitzgerald with the understanding also, please, you know, with the caveats of everything that I have said, keep in mind please going forward. So thank you.

PRESIDENT CATENA: Councilman Filiaggi?

MS. FILIAGGI: Thank you, President Catena. I, too, was not prepared with comments today. I did say a lot at the original vote. I do want to acknowledge that

everyone here has passion and courage, and I respect everyone for coming forward.

Council does listen and your engagement matters. Thank you very much.

PRESIDENT CATENA: Councilman Futules, are you out there?

MR. FUTULES: I am.

PRESIDENT CATENA: Do you want to say anything?

MR. FUTULES: I just want to say that I'm being my consistent from my last vote, that I will be voting no, because the ordinance is flawed and there are other options. Thank you.

PRESIDENT CATENA: Thank you. Councilwoman Hallam?

MS. HALLAM: Can I steal your mic for this?

PRESIDENT CATENA: Yeah.

MS. HALLAM: Thank you. So I want to start by addressing something that one of my colleagues said in their statement, that nobody is looking to frack in our parks. You know, when I look around, I see a lot of folks who are out here, who I'm sure are here as a result of the email that Range Resources sent out asking all their buddies to show up and pack the room.

But yet, when I look around again and I listen to all the public speakers that spoke tonight, only eight folks spoke out against overriding this veto. Eight people out of all of these people in this room. And one person I was really, really looking forward to hearing from tonight, that unfortunately, I don't see here tonight is the county executive who vetoed this legislation.

The county executive who vetoed this legislation after it passed with 11 to 4 vote, the county executive who intentionally manipulated the veto process and delayed handing in his veto by seven days, so as to shorten our window. So as to require us not to override the veto at the last regular meeting, but to come back on our summer recess to waste lots of peoples time, lots of resources, bringing folks in who probably would have been home by this time of night to staff this meeting.

And I think about all of this effort that's going into with this no desire to frack in our public fracks. Something just doesn't add up here; right? So yet, when we think about this Bill, we can think about all of the folks that were angry about that made us come out and be sitting here until a little after 7:00 on a Tuesday



night, after this Bill passed with an 11 to 4 super majority. And I have to wonder, because this Bill isn't about the county executive, this Bill isn't even about fracking, if we want to be honest, because as a speaker said earlier, 0.2 percent of our county land, that is all we're asking to protect. 0.2 percent.

And this is democracy in action. Thank everybody who came out to speak regardless of what side you spoke on, thank you for coming out. This is democracy in action, and we as members of a representative democracy owe it to our constituents to vote the way that they overwhelmingly have shown us that they want us to vote. And so in my opinion, as the Honorable Jim Burn mentioned earlier, there is nothing to discuss here. Nothing changed in the past 14 days about the nature of fracking, about the harmful practice of fracking, about the need, the want to preserve one tiny little space in our community, one tiny little space in enjoyment. Yinz are fracking everywhere else, everywhere else. Can we please save this one little space for the enjoyment of county residents?

That's all I have to say except for I'm not going to lie this vote tonight that I'm going to take to override this veto is the vote that I am so, so, so excited to make the easiest vote that I have ever cast since joining this body. And I look forward to celebrating later, maybe heading out to a county park and breathing in the air that we protected tonight. So thank you.

PRESIDENT CATENA: Councilman Klein?

MR. KLEIN: Well, I'd like to thank all of you for doing the - for really doing the heavy lifting. And thank you caring, thank you for your passion, thank you for showing up. I know that some of you probably haven't had a chance to shower for the past couple of weeks, getting ready for this, and I respect that as well.

But I'd like to say a few things, and I would begin by saying this. Two weeks ago this body did vote within an 11/4 vote to ban fracking in our parks. Today consistent with his executive authority, the county executive has brought to this body for our consideration, the veto of this ordinance. As I mentioned during our consideration of this ban two weeks ago, we can make the business case for almost anything, but it is seldom the only case to be made.

We have a choice here, and the choice that we make will say something about our region, our county and what we value. Just because we can lease our parks for drilling doesn't mean that we should, and just because we are not drilling in our parks right now doesn't mean that we won't. It has been suggested that decisions of this nature ought to be left to the discretion of future county executives and lawmakers.

If that were the standard, then why would any executive make a decision that was hard, contentious or unpopular. It's very possible that enacting this ban might be a short-lived endeavor as a future county council, the different composition might end up what we have proposed to do. But that is the nature of lawmaking, and it should not foreclose the opportunity that we have right now to make an important statement about what we value and what we choose to protect in this county.

We should resist the temptation as some opponents of this measure might to pit labor against those who argue protecting natural spaces. That is incendiary and short-sided and it's a very old threadbare tactic intended to divide. The truth is we all have a stake in transitioning to a new economic model that does not require the dispelling of our natural assets. And we have a responsibility to create jobs for that new world order, and that will require the will and imagination of business and political leaders.

The average ban fracking in our parks is a modest one, but it is important, because the cumulative effect of such measures in communities across this country can have a large impact that shapes the consciousness of a world that must come to terms with the reality of an ecological crisis. The proportions of which are consuming this planet today.

A clean environment is an economic asset. We no longer have the luxury of treating the climate crisis as a tomorrow problem. The wolf is at the door, look around. We are moving right now from crisis to catastrophe. We may not be able to do enough, but we have to try. We have to try or we are condemning our children and most certainly our grandchildren to a future that will fulfill the Hobbesian view of civilization, where life will be short, nasty and brutish. Let's do our small part tonight by sparing our parks from these invasive commercial intrusions. Thank you.

PRESIDENT CATENA: Councilman Macey?

MR. MACEY: Thank you, Mr. President, members of Council and residents of Allegheny County. We know that fracking will never stop. We know that we have the natural resources we have to enjoy life, heat our homes and make products in this country.

We also know that it can be dangerous and in some cases it has been dangerous, and people have been harmed. However, we need this resource. Now, we can get it through other places, and I know that, you know that, and we're going to say how about saving the parks. I've got two parks in my district, and I've heard from constituents, I listen to my constituents. Obviously they're the people that put me here. So I'm going to change my position and vote yes.

PRESIDENT CATENA: Councilman - or Councilwoman Naccarati-Chapkis?

MS. NACCARATI-CHAPKIS: Thank you, President Catena. I want to share a little bit of background information that I think is relevant to the conversation tonight and puts things into a little bit of a perspective.

In March of 2018, my house shook. It shook so much that everyone came running out of their rooms and running out of the house because we had the fear that we were were experiencing our first earthquake. You all know that it wasn't an earthquake, but I'll tell you what it was. It was seismic testing happening in my community. Now, for those who don't know what seismic testing is, it's blasts of sound that are occurring on the property to identify where pockets of oil and gas formations are underneath the ground.

I live near Boyce Park, there will be no fracking in my neighborhood, but as the crow flies, I'm probably about an eighth to maybe a quarter mile away from Boyce Park, which is in my district. So I can only assume that the seismic testing that was happening all around Boyce Park was to gather data for any potential fracking that could occur under the park and around the park.

So the threat may not be there today, but there's a whole lot of data that has been collected and is housed somewhere about the gas formations all around our parks. So that's the first thing. The second thing is that as part of my career, I worked as director of land protection and stewardship for a land trust and traversed

properties, parcels of land, all over Pennsylvania with scientists looking for those rare threatened and endangered species, looking for those landscapes that we need to protect for their ecological value, and that included forests, game lands and parks.

And what I can tell you is that some of those parks even included parks in the Allegheny County system. So with that previous history in mind and the knowing that we need to protect the Bill's historical, recreational and ecological values of our parks, that is one of the reasons why I was a co-sponsor on the Bill that was vetoed.

We also know that parks are valued by our healthcare system. There are park prescription programs where our healthcare practitioners recognize the value and write prescriptions for the physical and mental health and well-being of their patients. These are - these are pristine places that offer significant values that just can't be stated in numbers. Our environment and our public health are intrinsically related. They are connected. And so we have to do what is best for the constituents and the community and listen to the science when we're making these decisions, and I respect and I appreciate Dr. Stolis's (phonetic) information that he was sharing about the testing and sampling he did at Deer Lakes related to the water quality.

As you heard from my colleagues, we're at a tipping point with climate change, and so, you know, I think that this also speaks to that effort.

And lastly, I'll just close by saying that the video that was shared with us today about Boyce Park and that abandoned well that is spewing out methane and VOCs, I will be in Boyce Park and I'm hoping that regulators and anybody who has oversight as well as the industry of that particular well head gets plugged immediately. Thank you.

PRESIDENT CATENA: Councilman Palmiere?

MR. PALMIERE: Thank you, Mr. President. Ladies and gentlemen, glad you were all here tonight, a lot of familiar faces. Mel Packer, the Weirs, Kenny and his wife. So many of you have been here for years, for years preaching the gospel. And it wasn't the gospel according to our county executive, but I also want to say there's a lot of good things.

I've been serving with Rich since the day he was elected. He's done a lot of good things in this community. A lot of good things. We've made a lot of

progress in a lot of areas. But I've been in disagreement with him for years about fracking in our parks. I went through agony the last time with that vote. I went through agony, and I asked Rich - and I said to him, please don't ever ask me to do this again.

To you union guys and you union people and supporters, I am union 125 percent. If it wasn't for the unions I would have never - my family would have never enjoyed a piece of the American dream. I will be forever indebted to you. I'll support you no matter where you're at, no matter what you're doing, but I will not support you to frack in our parks. That's not going to happen. I don't care whatever jobs - I'm here for you, but not in our parks.

I've been running down in South Park for 46 years. I love that park. We've done a lot of good things together down there. And Rich, he helped me be responsible for a lot of the good things down there. Without his consent, without his help, it would have never happened. So he's not the devil. He's not the bad guy. He has his way of doing things, and you know what, ladies and gentlemen, we all do. We all have our quirks, we all have our little habits and our feelings and so on and so forth. Whatever prompted him to do this tonight, you know, I would have much preferred to be home and that's no lie. But I came down here tonight with a sick son, sick wife, sick sister, because it's important for me to be down here tonight to share with you on this issue. If I didn't think this issue was vital and so important, I would have had every excuse to stay home.

I thank you again for all your support, all you guys with your green scarves, I remember years ago, everybody down here with their green scarves. It's been a wonderful experience to sit here and to be able to listen all of you and to share with all of you. I'm proud of the fact that we've done a lot of good together in this community to make Allegheny County better. So thank you again for all of your participation, and I'm not going to vote to override this veto at all.

MS. HALLAM: You mean the opposite.

MR. PALMIERE: I mean the opposite. Well, you can tell how used I am to public speaking, can't you. I'm not going to vote to - I'm going to vote no.

PRESIDENT CATENA: Councilman Palmosina?

MR. PALMIERE: I'm going to vote yes. Thank you, again, ladies and gentlemen for your kind attention. Thank you.

MR. PALMOSINA: My turn?

PRESIDENT CATENA: Go ahead.

MR. PALMOSINA: Thank you, Mr. President. I want to recognize everybody here for coming out. It's how important it is, and like Jack said down there, Betkowski, it means a difference to come out. When we see your faces, we know how passionate you are, and it means a lot to us.

I also want to address the unions. I'm a past carrier of 1058 and AFSCME, and we do know what you guys do. We do realize that you have to feed your families, and we will find alternative jobs or something like that, I promise you that. I have been a union supporter all my life and so is my family, so I think we got to find a way to find alternative jobs, especially for the younger ones coming up. With that being said, more importantly, this comes down to the health - the health of our people, the health of our youth more importantly.

So I want to read a brief statement, and I appreciate everybody being here. I rise to ask my colleagues here to join me in voting this veto down. I will explain why. To put it simply, it's our job. Letting it stand runs counter to everything we were elected to do, to make this county better today, and make it better tomorrow.

I am a father and I am a grandfather. I am a member of this council, which is entrusted to ensure those kids, everyone's kids to have a better, cleaner, safer tomorrow. This veto isn't the way to do it, it just isn't. Our region was the steel capital of the world, we were proud of that, and rightfully so. When things changed we were met with a struggling economy and a reputation as the polluted city. We had a choice, live with it or grow from it. Well, we learned from our past and we grew from it, and today this region is a success story because we did.

We worked to clean up our air and water. We worked reignite - reinvent ourselves as a leader in tech, education and the medical field. A place where people want to be from a livability and for raising their families precisely because we work to put people first.

We still have work to do, absolutely, but we've made huge strides forward. Vetoing this bill is a step backwards, it's putting profit before people, it's wrong. I voted for this bill, our community to service it, and to be frank, pays for clean parks. These are public resources. We dismissively told this is political theater, it's not, it's political action. It is political action.

And it is necessary action. It's a step we do - must take forward because of the generations coming after us, there is no time left to look backwards. Our constituents deserve no less, and more importantly, our children deserve no less. This council voted overwhelmingly for this Bill. We are not a rubberstamp. We are not here to twiddle our fingers and just stand down when told.

I stand by my vote, and I ask County Council to stand up and be accountable for the taxpayers and their families. Thank you.

PRESIDENT CATENA: Councilwoman Prizio?

MS. PRIZIO: Thank you, Mr. President. And I want to thank all of you out here. Without you guys this would not have happened. And I also want to thank my colleagues.

As a public servant, we are obligated to preserve public land not only for today, but for future generations. We were elected to protect the health and safety of our constituents. We were also elected to uphold the Pennsylvania Constitution, Article 1, Section 27. The park lands are the common property of all the people.

We as citizens of Pennsylvania are guaranteed clean air and clean water and clean land. Parks are designed to support healthy activities and be a place of recreation and refuge from the pollution of industry and commercial activity, which dominates this area. That is why I'm voting to override the veto and hope my council members join me in that. Thank you.

PRESIDENT CATENA: Councilman Walton?

MR. WALTON: Clearly, this veto from the sentiment of the members of Council have indicated will be overridden. I don't think that this legislation is the best. I believe there's legislation in government that was sent to government reform, begins to better address holistically the challenges that we're confronted with.

Clearly, from my conversations and things that I've heard and read, that there's not a desire to put wellheads into the parks. But again, I think this speaks to a larger issue. First and foremost there are no county parks in my district, yet I've heard from a huge number of my constituents, and they unilaterally opposed sustaining this veto. But I haven't heard - and my district is just under 49 percent African American, and I have not heard from one African American in my district to support overriding this veto.

Not one person of African American dissent spoke here tonight, suggesting that we either sustain or override this veto. I'm clearly concerned about the health and vitality of all Allegheny County residents, but I'm equally concerned about the health and welfare of African Americans in Allegheny County.

And so I challenge all of you guys that stood up here and spoke from your heart tonight to fight for economic and social justice for African Americans. I'm black, as if you didn't see it. But I'll be damned, most of the folks that I deal with are concerned about the fierce urgency of now. Having the ability feed, house, clothe and educate and prepare a future for their children. To have a health lifestyle. To have a damn grocery store in their neighborhood.

The challenge is in front of all of you to fight for black folks just the way you're fighting for the parks that service the overwhelming majority of whites in Allegheny County.

Hey, look, anybody who knows me - Tom Pike, Mr. Buchols (phonetic), when they came to see me, I said I'd meet with them, but I laid out a set of conditions and things that I demanded and I expected from them. And I told them I would be honest, I'd be straightforward, I'd be transparent, but I wouldn't take any B.S. Anybody that knows me, knows that I'm going to stand up for whatever I believe in, and I'm challenging you guys to fight with me for what I believe is justice as needed in our community.

I'm a trade unionist. I've been a trade unionist since 1964. I've lived my life fighting for justice and equity for all folks regardless of race, creed, color, sex or religion or origin. Hey, look, there's some legislation in government reform. Fight to get it out and have it be heard, as opposed to having it



buried like some folks intend to try to bury in their committee.

I fight every day and there are other issues on Council that we have to address so we're not so disingenuous and play games. Stand up and be counted. Hey, look, clearly, no matter what my vote is going to be, this veto is going to be overridden. It is. But there's so much more at stake than just this piece of legislation.

PRESIDENT CATENA: You're good? Okay. Thank you.

Again, thank you for - thank you for coming out tonight, whether you were for this measure or against this measure. It truly means a world difference to see each of you in those seats tonight. I am very pro-labor oriented, pro-union and we need to find, obviously - we need to do a better job at finding replacement industries for you when we pass measures like this that could potentially take money out of your pocket. So I'm well aware of that situation.

My colleague brought up social justice, and one thing that's really bothered me over the last week is that the county executive - and basically bringing this measure up when he talked about it, had extended his rationalization of the natural gas industry. He is actually quoted as saying these companies all get painted with a broad brush, if we did things like that with gender or ethnicity or sexual orientation or race, that's not the way we do things.

So let me be clear on this subject, the gas industry cannot and in any way be equated with or analyzed to end a century's long struggle for social justice. This false equivalence is an insult to unaccounted women, racial, ethnic and other minorities and our LGBTQIA community and the others who faced and struggled against discrimination, often at grave risk to themselves, to their families and loved ones.

I cannot and will not sanction a decision by anyone who regards an industry in this way to singlehandedly circumvent the will of over two-thirds of county council members who are just as elected as the the county executive himself.

As president of County Council, I believe we've carefully considered the terms of Bill Number 12162-22 and came to the conclusion that a limited restriction, limited that only impacts county parks and that builds in the very

flexibility that the executive's veto message endorses insofar as the ordinance can be amended in the future if the circumstances warrant.

It is appropriate given the importance of the county's role in protecting publicly owned park lands. This ordinance also constitutes a narrowly tailored, extremely limited impacting only a tiny portion of the land within the county. I believe that council's thoughtful consideration of this process should stand, and I believe the will of the people of Allegheny County should also stand this evening. So thank you again for coming out at this point.

Is there anyone that wishes to add anything before we go to a vote? Councilman Palmiere?

MR. PALMIERE: Thank you, Mr. President. A couple of things. I just wanted to mention that you young people, I was so gratified that young man up here tonight. You young people have to wake up and realize you're the future. You can't keep sitting back on your hands and waiting for mommy and daddy to do everything.

You have to get off your haunches and start getting involved. That's key. If you don't do that, shame on you, because the future depends on you. We're all going to be long gone, but you - that young man over there's going to be here.

Thank you again for being here.

PRESIDENT CATENA: Councilwoman Hallam?

MS. HALLAM: Yeah, I just wanted to add one thing based off of what my colleagues said after I got to speak. And we don't - there's this like this misconception that we have to choose between, you know, a healthy environment and good paying union jobs. That is not the case. We do not have to choose. Between those two things, we can have both. And I hope that everyone who came here tonight who came here tonight to speak out against overriding this veto joins me in having a conversation about that, because that is a reality that we can have both of those things simultaneously, but what we cannot have simultaneously is fracking in or under our parks, and our community members to go and thoroughly enjoy everything that our county parks have to offer.

So thank you all again for being here.

PRESIDENT CATENA: Jared, roll call vote.

MR. BARKER: On the motion to override the veto.

Ms. Bennett?

MS. BENNETT:	Yes.
MR. BARKER:	Mr. Betkowski?
MR. BETKOWSKI:	Yes.
MR. BARKER:	Mr. DeMarco?
MR. DEMARCO:	No.
MR. BARKER:	Mr. Duerr?
MR. DUERR:	Yes.
MR. BARKER:	Ms. Filiaggi.
MS. FILIAGGI:	No.
MR. BARKER:	Mr. Futules?
	Ms. Hallam?
MS. HALLAM:	Enthusiastically, yes.
MR. BARKER:	Mr. Klein?
MR. KLEIN:	Yes.
MR. FUTULES:	My vote is no.
MR. BARKER:	Mr. Futules

retroactively votes no.

	Mr. Macey?
MR. MACEY:	Yes.
MR. BARKER:	Ms. Naccarati-Chapkis?
MS. NACCARATI-CHAPKIS:	Yes.
MR. BARKER:	Mr. Palmiere?
MR. PALMIERE:	Yes.
MR. BARKER:	Mr. Palmosina?
MR. PALMOSINA:	Yes.
MR. BARKER:	Ms. Prizio?
MS. PRIZIO:	Yes.
MR. BARKER:	Mr. Walton?
MR. WALTON:	Yes.
MR. BARKER:	President Catena?
PRESIDENT CATENA:	Yes.
MR. BARKER:	Ayes 12, noes 3. The

motion to override passes.

PRESIDENT CATENA: Thank you. But we still have one more Bill to vote on.

So 12376-22.

MR. BARKER: A motion of the Council of Allegheny County overriding County Executive Rich Fitzgerald's veto of Bill Number 12208-22, entitled An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Administrative Code of Allegheny County, Part 4 entitled Executive Branch, Article 401, Section 5-401.09, entitled staff organization and appointments in order to implement a unified structure governing the appointment of

departmental directors and equivalent positions, sponsored by President Catena and Council Member Prizio.

PRESIDENT CATENA: Councilwoman Prizio.

MS. PRIZIO: Thank you, Mr. President and members of Council. I believe council carefully evaluated Bill Number 12208-22 prior to its passage and that the Bill, as passed is in the best interest of the residents of District 3 and Allegheny County.

Accordingly, I move for approval of the motion to override the veto of 12208-22.

MS. HALLAM: Second.

PRESIDENT CATENA: Motion made and seconded. Is there any discussion?

MS. HALLAM: Sorry, no, I would like to say something first. So I know a lot of you came out here tonight to support us in overriding the fracking ban veto, but I want to remind you that this Bill is also very, very important and it is just one step we have taken to try to make sure that we truly represent what the three equal branches of government are supposed to be. And we are not a rubber stamp for the county executive, and there are little ways that we can show that.

Unfortunately the other transparency based bill that was introduced was voted down eight to seven at the last meeting where we voted on these Bills. That was about salary transparency and making sure that we had all of the information we need before we took a vote on nay budget. This Bill was the Bill that was introduced in coordination with that, to ensure that any director level appointment by the county executive was subject to County Council confirmation. So I just wanted people to understand what it was that the county executive vetoed here. He vetoed oversight of his own job.

And any council member that votes to allow that veto to be sustained, I really do question anyone's motives, so -. Thank you.

MR. WALTON: Mr. President?

PRESIDENT CATENA: Go ahead, Councilman Walton.

MR. WALTON: I question the integrity of my colleague for questioning my motives on what I may do. I believe - I believe we represent what we believe to be in the best interest of residents of Allegheny County.

Now, I may not agree with an individual's agenda or motivations, but I don't - hey, look, I take it personal. I take it personal. And I think that we should

be careful with the latitude that we tend to operate with. Now, I'm as candid about issues as anyone, but I will not have my decisions and my motives impugned. Respect me, disagree with me, but respect me. And if you don't like it, let's go talk about it.

MS. HALLAM: Let's go talk about it. I'd enjoy that conversation.

MR. WALTON: For real.

MS. HALLAM: I would enjoy that.

PRESIDENT CATENA: Well, let's not impugn each other's motives, let's not be disrespectful to one another. And let's maintain some decorum.

MR. WALTON: Because I will go there.

PRESIDENT CATENA: Well, we don't want you to go, because you've already gone there plenty of times. So we don't want to make this another time that you go there. Thank you.

Is there anyone else? Councilman? Go ahead, Councilman?

MR. DEMARCO: Yes. I object to the repeated device of rhetoric to my colleague continually questioning our motives when we happen to disagree and trying to put this out to the public that if we don't agree with what she says, we must - never mind that this isn't in the charter and this isn't in the administrative code and this ordinance is a blatant attempt at overreach. That's some of our opinions, but we don't sit there and cast doubt or call out motives of our fellow colleagues. That's why we're here to vote.

I'd ask you to caution, you know, our colleague and ask her to be more careful in her rhetoric when attacking her colleagues. Thank you, Mr. President.

PRESIDENT CATENA: Thank you. Okay.

Is there anyone else this evening? Councilman Duerr?

MR. DUERR: President Catena, I know this is your Bill. You know, prior to the vote on this Bill, I had expressed concerns to you about them and as respect as the prime sponsor of them. I'm still concerned - you know, I voted against this Bill and I am not overriding the veto.

I am still concerned about the potential of, let's say, outside and inside political influence that could be pushed upon county council members to appoint or not - to approve or not approve future department heads.

I mean, we have seen very recently, and it was - I very nearly got censored for it, a very contentious appointment votes regarding the ALCOSAN Board. And I'm worried that the same circumstances that, you know, very well, could have surrounded those votes, could potentially oversee and over - you know, put a cloud over potential department head votes in the future on this.

So with respect to that and respect to the time you put on this Bill, I share those concerns with you. I should have brought those concerns up during our previous meeting when we were voting on this Bill, but I didn't want to disrespect the time that you put into this effort since I know you were the prime sponsor. So thank you.

PRESIDENT CATENA: Thank you. Anyone else this evening? Councilman Macey?

MR. MACEY: Thank you, Mr. President, members of Council and residents of Allegheny County. I see this Bill as a means of trying to micromanage the administration. It's as simple as that as far as I see it. You can say all the things you want to say. We got three branches of government. We've got the administrative, we've got the judicial, and we have council.

Let's just do our jobs and quit trying to micromanage other peoples responsibilities. Thank you.

PRESIDENT CATENA: Thank you. Anyone else this evening? Councilman Filiaggi?

MR. FILIAGGI: Thank you, President Catena and council. I am the new member here, and I've only been here since April 12th, but I would like everyone to understand that we're all up here, we're all sitting. I think that everyone that's sitting in these chairs today owns their votes, sweaty palms and all.

We all know what the ramifications are and the consequences of our vote, so to somehow impugn anyone else's motives, I just think is disrespectful and is not in the nature of the process. So as the new member, some of this is unseemly and it doesn't seem professional and/or collegiate.

That's all I have to say. Thank you.

PRESIDENT CATENA: Thank you. Anyone else this evening? I didn't get the go yet, so - I know you keep calling the motion, but I didn't get a chance yet, so hold on one second. With regard to Bill Number 12208-22, specifically the Chief Executive's justifications for his

veto run contrary to county law and to the precedent that he set himself when he was a member of council.

While the executive mentions charter provisions governing the county manager's duties relating to appointing and removed directors of county departments, and the executive's duty to control and be accountable for the administration of all departments, he completely overlooks article six, which charges the manager with a duty to implement policies established by the county executive and county council for the administration of county operations.

The grant of authority over county operations is clear, unambiguous and expressly includes council. Other provisions expressly overlooked by the executive when he was vetoing this was charter article four, which specifically empowers council to by ordinance or resolution modify or eliminate any department that no longer meets the needs of the county's taxpayers. Charter article four, which expressly empowers council to adopt and the county's administrative code and make changes as necessary for a complete plan of organization, departmental structure and operation of the county government as well as a personnel system.

Article nine, which requires the code established personnel system be based upon the concept of appointments and promotions of employees must be made on the basis of merit demonstrated by a valid and reliable examination and charter article ten, which expressly establishes the personnel system shall be included in the administrative code. The personnel system shall be included, rules, regulations governing such subject such as classification and pay plans, examinations, forced reductions, removals, discipline, working conditions, provisional and exempt employments, employee training, orientation, grievances and civil service system.

The administrative code of Allegheny County part ten, which is in its entirety governs the current county's personnel system, which already includes council in the direct hiring process by establishing that County Council shall be given the opportunity to interview all final candidates for directors of departments and make recommendations to the chief executive. This is already part of the administrative code. The executive ignores this on a daily basis and continues to ignore this on a

daily basis. This is why this ordinance was clearly established by myself.

Now, these provisions clearly establish that a personnel system itself is a matter of county law, clearly and unambiguously. Placed within the preview of council as part of code while the county manager can administer the employment and removal of departmental directors and the executive administer departmental operations, this administrative duty does not place the manager or executive above the law of the county governing the personal system as the executive appears to wish.

The executive also references article four in the charter in his veto message. The entirety of this non-interference clause says the county council and its members shall deal with the executive branch exclusively through the chief executive - or manager except for the purpose of obtaining the information and advice. Individual county council members shall not give orders or instructions, either publicly or private to employees of the executive branch. This charter provision does not render the executive branch immune from any and all forms of legislative oversight, nor does it exempt the administration from following the county law, nor does it supersede all of the charter provisions that clearly include council in establishing authority over county personnel and operations. It merely says that council and its members are not to act as day-to-day supervisors of county staff employed by the executive branch.

Furthermore, this chief executive's veto of this Bill is completely inconsistent with his own history. In 2004, for example, then Council President Fitzgerald supported and voted in favor of three motions to override executive vetoes of bills limited the executive's authority or expanding county council's power, all of which passed.

Also in 2004 the very same Rich Fitzgerald, who is now claiming that the executive branch is too immune to the validity enacted by county law governing county departments both supported and voted in favor of overriding an executive veto of Bill Number 1600-04. This Bill extended an existing charter and code provisions requiring legislative approval of county department function alterations.

The veto of this extension of council's oversight of departmental functions and operations and



activities were also overridden by counsel and the ordinance has been the law of Allegheny County for nearly two decades.

In summary both the record and the legal authorities are clear, both of the executive's veto both run contrary to establish law, his own history and the will of the public and generally the will of council; therefore, I believe that this should be overwritten and that's why we had this special meeting tonight. It's all about accountability and oversight. And if we don't start, county council needs to start basically enacting that to ensure that we are not that rubber stamp. So thank you this - thank you for coming out this evening.

If there's nothing else. Go ahead.

MR. BARKER: On the motion to override the veto.

Ms. Bennett?

MS. BENNETT: Yes.

MR. BARKER: Mr. Betkowski?

MR. BETKOWSKI: Yes.

MR. BARKER: Mr. DeMarco?

MR. DEMARCO: No.

MR. BARKER: Mr. Duerr?

MR. DUERR: No.

MR. BARKER: Ms. Filiaggi.

MS. FILIAGGI: No.

MR. BARKER: Mr. Futules?

Ms. Hallam?

MS. HALLAM: Yes.

MR. BARKER: Mr. Klein?

MR. KLEIN: Yes.

MR. BARKER: Mr. Macey?

MR. MACEY: No.

MR. BARKER: Ms. Naccarati-Chapkis?

MS. NACCARATI-CHAPKIS: Yes.

MR. BARKER: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. BARKER: Mr. Palmosina?

MR. PALMOSINA: Yes.

MR. BARKER: Ms. Prizio?

MS. PRIZIO: Yes.

MR. BARKER: Mr. Walton?

MR. WALTON: No.

MR. BARKER: President Catena?

PRESIDENT CATENA: Yes.

MR. BARKER: Ayes 9, noes 5.

MR. FUTULES: Futules is a no vote.  
No vote.

MR. BARKER: Ayes nine, noes now six, the motion to override fails.

PRESIDENT CATENA: Thank you. Is there a motion to adjourn?

MR. WALTON: So moved.

MR. PALMOSINA: Second.

PRESIDENT CATENA: A motion has been made and seconded. Signify by saying aye.

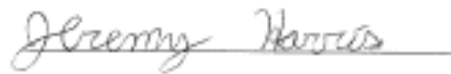
(Chorus of ayes)

MEETING CONCLUDED AT 8:01 P.M.

CERTIFICATE

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

Dated the 23 day of September, 2022

A handwritten signature in cursive script, reading "Jeremy Harris", is written over a horizontal line.

Jeremy Harris,

Court Reporter