

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 5, 2022, 5:00 p.m.

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

IN ATTENDANCE:

Jared Barker - Director, Legislative Services  
Jack Cambest - Allegheny County Council Solicitor

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?
	Ms. Filiaggi.
MS. FILIAGGI:	Here.
MR. BARKER:	Mr. Futules?
	Ms. Hallam?
	Mr. Klein?
	Mr. Macey?
MR. MACEY:	Here.
MR. BARKER:	Ms. Naccarati-Chapkis?
	Mr. Palmiere?
MR. PALMIERE:	Here.
MR. BARKER:	Mr. Pamosina?
	Ms. Prizio?
MS. PRIZIO:	Here.
MR. BARKER:	Mr. Walton?
MR. WALTON:	Here.
MR. BARKER:	President Catena?
PRESIDENT CATENA:	Here.
MR. BARKER:	As of right now, we

have nine members present.

PRESIDENT CATENA: Okay. We'll begin with proclamations and certificates. 12347-22.

MR. BARKER: A proclamation recognizing the 130th Anniversary of the Battle of Homestead, sponsored by Council Members Prizio and Klein.

MS. PRIZIO: Okay. So I'm very excited to be able to offer this proclamation, recognizing the 130th anniversary of the Battle of Homestead. Whereas the Homestead Strike, including the July 6, 1892 battle at the historic pump house in Mon Hall is arguably the most

famous and consequential struggle in American labor industry. Whereas 3,000 workers working under union contract, from 1889 to 1892 helped build and then operate what the most productive and revolutionary steel mills in the world, combining both the Bessemer and open hearth technologies. And whereas in Homestead, a town founded in 1881, to serve the needs of a rapidly expanding steel industry several thousand townspeople and workers asserted a certain property right to their job and to took up arms in defense of their employment and whereas a force of 300 Pinkerton agents armed with Winchester repeating rifles hired by Henry Clay Frick to serve the property rights of Carnegie Steel, failed in their attempt to land on the banks of the Monongahela. And following a gun battle where seven workers and three Pinkerton agents were killed they surrendered to union and town leaders. And Paul will be doing the rest of the proclamation.

MR. KLEIN: Here we go. Just a couple more whereases. Whereas under the union contract, workers had a strong voice on the job and negotiated share of productivity and profit, hours that were determined by work function and negotiation. Sundays and holidays off, as well as control over the political life of the town through free elections. And whereas, following the breaking of the union, the lower half of the workforce worked 72 to 84 hours a week with drastically reduced pay. A swing shift was also imposed that severed workers from the political life of the town with many subjected to the brutal long term, a 24-hour shift every other week as time off, weekends and holidays was virtually abolished.

And whereas the 1892 Battle of Homestead established the dominance of the American system of employment at will where both elected and individual rights of workers were completely subjugated to the will of corporate power and private ownership. No power to bargain, negotiate or even speak until the United Steelworkers gained a contract 45 years later in 1937.

Now, therefore be it resolved that we, Anita Prizio, Paul Klein and all members of this council do hereby recognize July 6, 2022 as the 130th anniversary of the Battle of Homestead and encourage citizens to discuss the importance of organized labor in reducing extreme economic and equality to think about society's need for worker skills, intelligence, and participation to achieve sustainable and useful employment and to understand the

centrality of both free speech and concerted activity to rebuild productive and healthy communities. In witness whereof I here unto cause the seal of the County of Allegheny to be affixed this 6th day of July 2022. So thank you very much.

And maybe I'll step aside and maybe John and Rosemary, if you'd like to say a few words, that would be great.

MS. TRUMP: Go ahead, John.

MR. HAER: Thank you, council members. Thank you, Paul and Anita, for their wonderful proclamation.

I'm John Haer. I'm the president of the Battle of Homestead Foundation. In 1992, a hundred years after the Battle of Homestead our organization, the Battle of Homestead Foundation began its activity. It's important to note that this activity started as the mills closed down and as hundreds and thousands of area workers went looking for work.

And our organization has continued since then. And I'd like to briefly read our values, the dignity of work, laborers, rich heritage and its pivotal place in our society. Community engagement through programs and partnerships, skills development and a prepared workforce for the future, human rights within a robust democracy. Our mission statement is inspired by the dramatic labor conflict of 1892 Battle of Homestead. We promote our peoples history and power today's workforce and build strategies for the future of work. Our vision is we will celebrate working class culture, preserve labor's rich heritage and shape the future of work. And thank you very much for this petition.

MS. TRUMP: I would just like to add that in conjunction with government and business, labor is working to make a more perfect union, a more equitable society, a more fair society where people can, through their labor with their hands, with their minds, with their skills, with their talents, be able to earn sufficient earnings to sustain their families, raise their families and be taxpayers of the County of Allegheny County as well as all other jurisdictions, rather than tax consumers.

And I would urge that we remember those who sacrificed in 1892, to put us on trajectory over the last century and 30 years, to build a strong middle class that does have an eight-hour work day, a 40-hour work week, an end to child labor, health and safety conditions, a right

to an education, healthcare and pensions so that we can live in harmony with one another.

And I offer solidarity to those workers in 1892 as well as today. Thank you very much.

PRESIDENT CATENA: Picture.

(Pictures taken)

PRESIDENT CATENA: The following proclamation will be read into the record. 12348-22.

MR. BARKER: Before proceeding, please let the reflect that Mr. Duerr, Mr. Futules, Ms. Hallam, Mr. Klein, Ms. Naccarati-Chapkis and Mr. Palmosina are all now present. Fifteen (15) members present.

12348-22, a proclamation honoring Father Miroslaus Anthony Wojcicki on the occasion of his 50th Anniversary of priesthood, sponsored by Council Member Macey.

PRESIDENT CATENA: 12349-22.

MR. BARKER: A proclamation commemorating the 75th Anniversary of the PPG Springdale Plant, sponsored by Council Member Futules.

PRESIDENT CATENA: 12350-22.

MR. BARKER: A proclamation congratulating Nancy Hubley on her distinguished career at the Education Law Center and wishing her the best in her retirement, sponsored by Council Member Klein.

PRESIDENT CATENA: 12351-22.

MR. BARKER: A proclamation commemorating the 50th Wedding Anniversary of James and Lorraine Caldwell, sponsored by Council Member Palmiere.

PRESIDENT CATENA: I will now have public comment on the the agenda items.

MR. BARKER: We have many. First up is John Detwiler.

MR. DETWILER: My name is John Detwiler. I live at 5723 Solway Street in the City of Pittsburgh.

I came tonight to support the passage of the Bill on Parks Number 12162-22. But I wasn't going to speak because you all heard all the reasons for passing this Bill. I'm actually going to say with a little bit of my time that I want to recognize Joni Rabinowitz. Because about eight years ago Joni was one of the prime movers on the first, and as far as we know the only time, that a citizen's measure has ever been put on the agenda of this council, and it was on this subject to preserve the parks.

So Joni has come full circle to the night when a vote is going to be held on a measure that she worked on about eight years ago. I'm so glad she's here. Thank you.

MR. BARKER: Next up is Zachary Barber.

MR. BARBER: Hello. Good evening. Thank you for the opportunity to speak. My name is Zach Barber. I'm the Clean Air advocate with Penn Environment. I'm a resident of Allegheny County living at 2233 Wightman Street, and since I last spoke to you, I've unpacked it, which is really exciting.

I'm here today to urge you all to vote favorably on the Bill to protect Allegheny County parks from fracking. Now, as an environmental advocate I had the great pleasure of talking to a lot of our neighbors about a lot of issues, and very few have ever gotten a response that this Bill has gotten.

Over the last few weeks my colleagues and I have been out talking to residents of Allegheny County, and we've gotten many of the responses that you would expect, but I want to handle two of the ones that I certainly didn't expect. One I remember a mother pushing a stroller came up and I said would you like to help protect our parks, and she said oh, I love our parks, but I'm not very political, what's the issue? And I said well, we want to stop fracking in our parks, and she said, well, what's fracking? And I said well, fracking is when you drill for gas. And she said well, you can't do that in the park, they're conserved, they're protected. And I said, well, no, we are actually fracking a park right now, and we want to make sure it doesn't happen to the other ones.

And she stopped and signed the petition signatures, by, quote, not being very political.

The second one was even more surprising. We were talking to a man who said he actually supports fracking. He drives a truck for fracking waste. And, you know, I thought this would be like the other conversations like this. We encouraged him to have a nice day and end the interaction there. But he said I support fracking, but not in our parks, those are special places.

And I think that that shows the power of this issue, to bring people together. It's not just crusty tree huggers like me. Although, certainly we do support this Bill, but, you know, it makes common sense; right. No one has ever gone to North Park and kayaked and thought

the experience would be made better by a convoy of diesel trucks or radioactive air pollution.

Protecting these parks isn't a matter of politics, it is a matter of good policy, but even more it's a matter of common sense. So that's why I have the honor today to present more than a thousand petition signatures collected over the last few months between Food and Water Watch and Penn Environment, urging you all to support this Bill. And I urge you all to do whatever it takes to get it over the finish line, including voting to override any veto that might come.

Thank you so much. Have a good night.

MR. BARKER: Next up is Robin Lesko.

MS. LESKO: Good evening. Thank you for the opportunity to speak. My name is Robin Lesko. I'm a resident at Allegheny County at 60 Academy Avenue, 15228.

Thank you, Tom Duerr, for representing my district.

I would just like to echo what Zach said in the essence of time tonight. I also want to thank all the council members who have committed to voting yes to Bill Number 12162-22 tonight and for all the efforts of the cosponsors. And also for the council members who were recognizing that even though they might have some hesitation with the legislation, that listening to your constituents is by far the greatest power and to vote in their best interest to make sure that we are heard and appreciated as we support you. So thank you.

Additionally, in addition to the thousand signatures that we are delivering tonight, we also had some personal letters that were signed for some of the county council district members, particularly District 2. Council Member Filiaggi - please tell me I said your name right.

MS. FILIAGGI: Uh-huh (yes).

MS. LESKO: Thank you. We wanted to welcome you and say thank you so much for taking an interest and to also say that as the new council member, that I know that this legislation can be kind of tough to toil with, also - because also fracking helps some of our parks, but also some people are opposed. Just in, like, the last week we've had over a hundred personal letter that say please support this legislation tonight. I would love it to give it to you or I can leave it with Jared.

And then, also, the petition signatures were also supported by a lot of local community groups. Community First, Sewickley Valley that's in District 2, protect Franklin Park that's in District 2. Also Pittsburgh PFA green party and the Sunrise Movement.

Additionally, what I'll be happy to e-mail the effort to save some trees, is we have a signed letter from elected officials from over 28 municipalities in Allegheny County saying please vote yes tonight to Bill 1216-22. Thank you for all your efforts. Thank you for all you do and we're proud to live in Allegheny County.

Thanks.

MR. BARKER: Next up is Brian Nuckols.

MR. NUCKOLS: Hey, everyone. Thank you so much for the opportunity to speak. My name is Brian Nuckols, and I live in Wilkinsburg in District 10. I'm also in support of fracking Bill 1216-22.

I noticed that during the public input process, which I'm grateful to participate in, we've heard a lot of expert testimony and from community members about the specifics, why you should ban fracking in public parks.

Today I'd like to use my time to speak on some of the broader issues, and more general issues why I think this Bill is very important.

To do this I'd like to draw on my personal experience, working with folks who are going through mental health issues. While many of us have challenges with mental health and have access to quality healthcare treatment make full recoveries and make many happy memories and live long lives there's way too many tragedies in our communities. We lose hundreds and hundreds of people every year to suicide and accidental overdose.

And when I talk to families of people who we are lost, they are often bright lights in our community. And when I talk to their families, one of the most common patterns I see is we wish we could have done more and acted before the crisis came in. Unfortunately, we don't have any social supports for crisis - before the crisis, excuse me, and we have to wait until late in the problem, late in the game.

And so, I think we need to shift from an if it ain't broke, don't fix it mentality when it comes to both public health and the climate. We cannot allow our climate to hit rock bottom. We are facing imminent,



imminent issues and extinction risks in timely fashions. It's kind of hard to face that kind of danger, because I think many of us, including myself struggle with avoidance and denial, but this is something we have to face. We need leaders like you who take strong political risks and think about a horizon beyond our own ambitions, political ambitions and even our own lifetimes. If you're one of those leaders, I'm asking you today to vote yes on this Bill. Then I'd like to ask - you maybe spent some time over the summer and proposed an ambitious pro-environment legislation for your next session.

Everyone on council has the leadership and experience to lead the fight against pro-extinction forces that are prioritizing, ambition, profit and short-term gratification over our security and health and help us create a county that's an oasis and an example for the entire world. Thank you.

MR. BARKER: Next up is Daniel Galvin.

MR. GALVIN: I'd like to thank everyone here for the time and the opportunity today. My name is Dan Galvin. I'm an Allegheny County resident, Iraq War Veteran. Active voter and community member, and I'm here to speak in support of Bill Number 12162-22 to ban fracking in Allegheny County parks.

I grew up just outside another Pennsylvania steel town, Bethlehem, Pennsylvania. And much of my memories of my early childhood center around struggling to breathe.

I remember many times being hooked up to a nebulizer machine to aid my constricted lungs, the mask strapped kind of to my little face. My family waiting to see if whether it would alleviate the asthma attacks that defined much of my earlier life. I remember wearing that mask on the floor of the TV room, as well as in the backseat of the family car, hoping that the fresh air of a country drive might aid my lungs, as well as put us on the way to a hospital should my situation not improve.

I remember quitting soccer mid season, T-ball, unable to complete games due to labored breathing. And at least one memory of being brought home from a walk in the park gasping for air.

As childhood wore on I struggled but preserved through my asthma. In large part through involvement in organized swimming, specifically to increase my lung capacity. And fortunately by high school I seemingly

concluded my asthma and was able to participate in sports like other kids. Something I would never thought possible in the days of being - gasping on the soccer field.

By the time I joined the Army after high school I was a picture of fitness, using my now strengthened lungs to lead my fellow soldiers in morning exercise and marching cadence. And that capacity and dedication to exercise was maintained during my deployment, just outside the City of Baquba during the citing of American war in Iraq.

I remember waking every morning to the smell of burning kerosene and human waste. Our unit's morning routine and just one of the many environmental degradations of war. But despite these toxins my breathing remained strong. And despite the dust in the smoke war zone, my asthma never impacted me once during that time.

It was not until I moved to Allegheny County that I began to once again experience the symptoms of asthma. In these past years, after three decades of respiratory health, I once again had the experience of asthma attacks while running during days of poor air quality, which in this region is sadly often.

If the air here in Allegheny County is toxic enough to impact me that way, after 30 years of freedom from asthma, I can only imagine the damage done to developing lungs and developing hearts and developing brains.

The children of Allegheny County deserve clean air as they grow. Incidentally, what brought me to live in the western half of Pennsylvania was my mother's diagnosis of cancer and a sense of responsibility to care for her should she be unable to care for herself.

PRESIDENT CATENA: Could you wrap it up, please, in a sentence of two?

MR. GALVIN: Sure. When we enter a life of public service, we do so with the duty to protect. That's our job, and there's no duty more sacred than the duty to protect children. I implore you, do your jobs.

MR. BARKER: Next up is Joy Braunstein.

MS. BRAUNSTEIN: Thank you. My name is Joy Braunstein. I am with Clean Water Act and I'm also a resident of Squirrel Hill within Allegheny County. And I thank you very much for having me here tonight.

Most of what I have to say, you've heard me say, you've heard colleagues say. I just want to remind everybody tonight that you don't have to be against fracking entirely to be in support of this particular ordinance. There are other ways to get at the resources that some members of council want to make sure are able to be part of it in Allegheny County.

Not that Clean Water action is in support of fracking, we are not, but I hope that as you deliberate this and as you cast your vote tonight that you think through what you're doing to preserve parks and what you're doing for and to and in support of the residents of Allegheny County. Thank you very much.

MR. BARKER: Next is Bob Nishikawa.

MR. NISHIKAWA: Pass me.

MR. BARKER: Thank you. Next up is Lauri Davidson.

MS. DAVIDSON: Hi. So this is my first time ever doing this. I'm not a regular. And I have a great fear of public speaking, so I'm super nervous, but this is something I'm very passionate about, and I'm trying with difficulty to overcome those obstacles.

In addition to those obstacles, I would like to point out that having the luxury of being here by 5:00 p.m. on a workday and dealing with parking and downtown traffic is a big obstacle. And so as I'm speaking, I hope you consider the fact that perhaps I represent many, many, many other people, the residents in Allegheny County that likely feel similarly. I can tell you that I'm an avid hiker and all of the Allegheny County parks, and I greatly appreciate them and have many, many fellow hikers that I know desperately want clean air. I also know many, many, many fellow hikers like me who have developed asthma, having never had it in my life, in the past couple of years.

I actually wanted to start out by thanking all of you for everything that you do for us in Allegheny County and your dedication to that. And also to everyone in this room for engaging in their government. That's not something that's being taken for granted. There are many people like Zach mentioned that are completely unaware of this. I have the benefit of growing up with an environmentalist teaching in public school as an adolescent growing up in Canada in Toronto. So I'm more tuned into these things.

I've been aware of the fracking issue for some time. I no longer hike in Deer Park, I haven't ever since they started fracking there. I often hike along Rachel Carson and I feel the toxic air that I'm breathing in on this trail named after this amazing environmentalist, from all the gas lines and everything going up along there. At one point going up one particular hill that I need to train on, because I'm trying to get up Mount Whitney this summer, I stop and I gasp for breathe because of the smells and the fumes of the gas.

Oh, great. So I hope that you support this Bill and vote yes for it. And please do right by the people of Allegheny County. I am a public servant and I work with children as a speech pathologist, trying to teach them how to speak and breathe properly. And I would greatly appreciate your support of this Bill. Thank you.

MR. BARKER: Tom Pike signed up for comment, but provided written comment, so I don't know if he's present.

MR. PIKE: I'm here.

MR. BARKER: You are. Excellent.

MR. PIKE: If it's all right, I'd like to speak.

MR. BARKER: Sure.

MR. PIKE: Hello, again. My name is Tom Pike, I'm a resident of DeWitt Walton's District. By now, those of you who heard me speak a few times have probably heard my story about the Murrys ville gas well catching on fire, and that was also in the op ed that the Post Gazette published, so I'm going to skip that today.

I just wanted to talk about jobs. We have heard concerns from some council members about jobs, and I think jobs is a good thing to focus on. Should we be just shutting down some jobs without creating other jobs, and I think the answer is no. We need to be for workers. I think it's great that this council passed a proclamation about the Homestead Strike earlier today.

And I wanted to draw your attention, actually, to another Bill that is being considered by the council, which is 12184-22. Among other things, this would seek county buildings retrofitted, reinsulated and green. That means jobs in HVAC, and those jobs would be local jobs. Unlike jobs in, say, fracking or even yes, solar installation, those jobs with installation, they tend to come in on trucks, and they tend to leave on trucks, and they tend to leave a lasting impact on a community that they're a part of. The jobs in HVAC are not that way.

Jobs in HVAC are local. Jobs in HVAC - we have dozens of HVAC contractors that do this kind of work that could be hired to do this work for county buildings.

People can train their employees on this kind of retrofitting, which is going to be the way of the future. So I would like to see not just this bill pass, I would like to see other bills pass with an eye towards the future of jobs in Allegheny County. And also, as I wrote in the op ed, I'd like to see the Council start to get creative after that.

The Council has a resource in CCAC. The CCAC has an HVAC program, are there ways we can take the HVAC program and encourage them to teach more about zero emissions HVAC.

So let's look at - I urge you to look beyond just this one specific Bill and see how it fits into a broader picture of labor and work in Allegheny County. And thank you for your time.

MR. BARKER: Next up will be Bob Donnan. He also submitted written comments. He does not appear to be here.

Next up would be Dan Grzybek.

MR. GRZYBEK: Good evening, Council. My name is Dan Grzybek and I live in Bethel Park. I'm here today to speak like everyone else in favor of Ordinance Number 12162-22 which prohibits industrial or commercial land use within Allegheny County parks.

During the public hearing on this item, I spoke of my perspective as a chemical engineer and someone who has studied the practice of hydraulic fracturing and how fracking cannot be performed in a manner that does not endanger the environment and surrounding public. However, I understand that there may be some people on council who consider the deleterious impacts of fracking, and think that's an acceptable price to pay for the jobs in economic prosperity that the practice of fracking allegedly brings.

So I'd like to address this perceived benefit. A study by the Ohio River Valley Institute founded between 2008 and 2019, the 22 counties that experience significant fracking in the Marcellus and Utica regions only saw job figures increase by about 1.6 percent. Nationally jobs grew by 9.9 percent during that time period. These findings are consistent with the 2022 study from Penn State, which found that Pennsylvania school districts experiencing fracking had lower per people revenue income,

wealth and tax revenue than similar districts without fracking.

This analysis came at a time when the region's natural gas industry was operating at full capacity, so it's really as positive picture as could possibly be painted for fracking industry.

Given this information, it's no wonder that during the public hearing on this ordinance, roughly 70 people spoke out in favor of this ordinance and not a single person spoke out against it.

I was once in a place where some of you were. I thought that fracking could be done in a manner that was safe. I thought that even if there were some negative health impacts, the jobs they created would overwhelm the impacts and would be greater than them. That's why I got my minor in chemical engineering. That's why I majored in chemical engineering. But given the available information that we have for us, I think we have to come to a conclusion that this just isn't the case.

And it's for that reason that I'm asking you to vote in favor of this ordinance. Since I do have about a minute left, I'd also like to also express my support for Ordinances 12355 and 12356. The decision of whether to receive an abortion should be made by the person that's pregnant, not by the state. Thank you.

MR. BARKER: Next up is Dianne Petersen.

MS. PETERSEN: Good evening. I am Dianne Petersen from 125 Woodshire. I'm in Allegheny County. I thank you for the opportunity to speak tonight and for listening to each of us, your constituents, the folks you represent.

I want to apologize to members of council who have already heard me speak, and I want to welcome the new faces I have not seen before, so maybe my testimony will be new to you.

I am here to ask you to stand up and vote yes, honoring your constituents, honoring their rights. I implore you to vote to protect and safeguard our public spaces. Vote yes on Bill 12162-22.

True, we here tonight know what this bill is about. It's to protect our parks. But frankly, most people, most of your constituents have not a clue this is happening. I ask you to do your duty as a decent representative of the people of the public. Do action, pass legislation that protects people, the things that

they love, the things that they care about, protect their air, protect their water, protect their public parks, especially for those people who aren't as lucky as myself or maybe you, to have a front yard, to have a back yard. These are their spaces to recreate.

The purpose of our public parks is to recreate, to enjoy the health benefits of nature. These parks are for all of us. The purpose of our parks is not for industry. It is not to turn a profit. And note, this Bill is very wisely written, so it does not stop commercial activity, such as boating or other sports things or providing food. These are things that enhance the public enjoyment of the park. But this Bill is written in such a way to stop industry that may be harmful, so maybe you do not believe that fracking is harmful. If you don't want to believe these 2,200 stories and citations, okay.

But I think we can all agree it doesn't belong under our parks and in our parks. Vote yes. Be on the record to all of your constituents that you are protecting their parks. And if and when one person decides to veto you, vote yes again. Have the guts to speak for all of us, to speak for our health and our parks. You don't have to believe that - read the bottom sentence, please. Do this for George Luca, who lost his life in this battle seven years ago. We lost Deer Lake Park, they're fracking there. The water quality has gone down, people are still fishing and eating that fish. Yes, maybe we get a better parking lot, yes, maybe get a better playground, but at what cost? At what cost?

Check out John Stoltz's -

PRESIDENT CATENA: If you could wrap it up?

MS. PETERSEN: - information from Duquesne and see what it says about the water quality and think of those citizens that do not know about that and are still eating fish from there. It not their job -.

PRESIDENT CATENA: That's - thank you.

MS. PETERSEN: It is your job to protect all of us. Thank you.

MR. BARKER: Next up is Anais Petersen.

UNIDENTIFIED SPEAKER: She's out in the hall.

I'll get her.

MS. ANAIS PETERSEN: Hi, I was on another call. But Kathryn Petersen, 125 Woodshire Drive, Pittsburgh, PA 15215. I also didn't quite know if I was going to be

speaking. I didn't get a confirmation e-mail, so sorry for the general vibe today.

But just following up on my comments following up on my comments made at the hearing, I want to touch on a couple things. First, I don't know if you're familiar with the Ohio Valley River Institute, they do really important research on the economic impacts of the natural gas boom in Appalachia. But if you've read their frackalacchia report, I know there's been some talk around how drilling in parts of Allegheny County has had an economic benefit.

What hasn't been talked about is the general economic benefit or lack thereof of fracking across Appalachia. The report looks at a number of counties across Ohio, West Virginia, Pennsylvania, which have been heavily fracked. Fortunately, Allegheny County was not one of those, because we haven't really been heavily fracked, but this does give us an opportunity to learn from that data.

If we look at that report, it documents that many Marcellus and Utica regions, fracking gas counties typically have lost both population and jobs from 2008 to 2019. Heavily fracked counties share the most prosperity indicators. Also the oil and gas sector had little to no impact on other sectors of the economy, and they rely on out-of-the-state workers. So income generated from the fracking boom from the Appalachia generally didn't enter the local economy and benefit local communities.

Once again, this didn't look at Allegheny County, because we're lucky, we're not heavily fracked. It doesn't mean that we should invite fracking in. This is a warning sign to keep fracking out, because it hasn't benefited the local economy there.

The second thing I want to quickly touch on is it's important to remember with natural gas boom in Pennsylvania, what happens in southwestern Pennsylvania and Allegheny County doesn't happen in a vacuum. If we increase fracking in Allegheny County, if we allow fracking underneath our county parks, we're going to see more radioactive fracking waste.

Right now in Plum, they're trying to keep a radioactive fracking waste injection well out of that county. If we increase fracking here, it's going to mean more radioactive fracking in our county. It's going to mean again, we've seen the Falcon ethane pipeline in



Allegheny County, it's going to mean more dangerous ethane pipelines, more dangerous natural gas pipelines. We don't need to create more need for this infrastructure and more place for this radioactive waste to go.

The final point, I don't know if folks have mentioned this, but if you're thinking about voting yes to align yourself with Fitzgerald, that's a joke. I think everyone in this room and so many people across Allegheny County hate Rich Fitzgerald. It is so well-known. That man is so unpopular. He is almost at the end of his term. If you think voting yes is going to help you politically, all it's going to do is make you look like a fool, because everyone hates him. It's not just environmentalists, it's not just environmentalists. It's not just the people who hate the Allegheny County Jail Board, it is across the board, people know that he is sleazy. And voting no on this to align yourself with him is not going to help you in the long run, because he's going to leave, and what's going to stay is your record and the people who hate him, the people who know that he has let Allegheny County down time and time again.

This is your chance to be brave, stand up to Fitzgerald and stand up for our parks and communities. Thank you so much. Sorry, again, to be incredibly frazzled.

MR. BARKER: Next up is Jennifer Drone. Next up would be Loretta Weir, followed by Kenneth Weir. The last two individuals who signed up for agenda topics are Michael Dietrich, who also submitted written comments. And Laura Lovett, who also submitted written comments.

PRESIDENT CATENA: Okay. Moving right along, approval of minutes. 12352-22.

MR. BARKER: A motion to approve the minutes of the April 26, 2022 regular meeting of council.

MS. BENNETT: So moved.

MR. PALMOSINA: Second.

PRESIDENT CATENA: Motion has been made and seconded. Any discussion? Hearing no discussion, all those in favor, signify by saying aye.

(Chorus of ayes.)

PRESIDENT CATENA: All those opposed? Motion carries.

12353-22.

MR. BARKER: A motion to approve the minutes of the May 10th, 2022 regular meeting of Council.

MS. BENNETT: So moved.

MR. PALMOSINA: Second.

PRESIDENT CATENA: Motion has been made and seconded. Any discussion? Hearing no discussion, all those in favor, signify by saying aye.

(Chorus of ayes.)

PRESIDENT CATENA: All those opposed? Motion carries. Any presentation of appointments?

MR. BARKER: We have none.

PRESIDENT CATENA: Unfinished business for the Committee on Review for the second reading.

At this time, I'd like to have the clerk read all of the appointments as a group, and all these appointments are now re-referred to the special committee on IPRB applicants for additional consideration.

MR. BARKER: Bill number 12237-22 approving the appointment of Lynn Banaszak to the Independent Police Review Board sponsored by Council Member Bennett.

12240-22, approving the appointment of Richard Garland to the independent Police Review Board, sponsored by Council Member Bennett.

12242-22, approving the appointment of David Mayernik to the Independent Police Review Board sponsored by Council Member Walton.

12244-22, approving the appointment of Keith Murphy to the Independent Police Review Board, sponsored by Council Member Walton.

12272-22, approving the appointment of Chloe Persian Mills to the Independent Police Review Board, sponsored by Council Member Bennett.

And 12274-22, approving the appointment of Justin Leavitt Pearl to the Independent Police Review Board, sponsored by Council Member Bennett.

PRESIDENT CATENA: Okay. We'll now have Committee on Government Reform for the second reading, 12163-22.

MR. BARKER: An ordinance amending the Administrative Code of Allegheny County, Section 5-801.05, entitled public hearings, in order to establish a uniform mechanism for fostering transparency regarding county salary budgeting, sponsored by Council Members Catena and Hallam.

PRESIDENT CATENA: Thank you. Council Woman Hallam?

MS. HALLAM: Thank you, President Catena. The Committee on Government Reform met on June 30th and affirmatively recommended this ordinance. So I would like to make a motion to approve.

MS. BENNETT: Second.

PRESIDENT CATENA: A motion has been made and seconded. Discussion?

Councilman Klein?

MR. KLEIN: Yes. Thank you, Mr. President. I'd like to share some concerns that I have - that I have voiced - expressed with respect to this ordinance at a couple of the preceding committee meetings.

I have asked the Chair of the Government Reform Committee that what it is exactly that we're trying to accomplish in enacting this ordinance.

I have been told preliminarily that this is just information, we can't do anything with this information, but it's good to have information. At a previous meeting of the government reform committee, one of our colleagues, Ms. Naccarati-Chapkis pointed out that the information that is being sought by this ordinance is already available to all of us as a council and available and accessible to the public as well.

As the effort to convince us of the need for the ordinance has evolved, we have been told that we need the information in order to fulfill in an informed way our responsibility to pass the county budget. I agree with that assessment, we should have all the information necessary to make an informed decision on the budget. But right now without this ordinance we can make an informed decision. We can make an informed decision as a council by exercising the authority that we already have. We have in place a committee on budget and finance. We have a very able committee chair, that committee - that committee can reach across the hall and ask the administration to provide additional information to clarify, to explain if we ask.

In the lead up to considering the budget, the committee can meet and review the current budget and bring that understanding to the work to be done in considering the proposed budget for the next year. The committee can conduct meetings with key players across the hall, they can ask questions. They can request documentation. We have the capacity right now to do that, it just requires the will to do so.

Look, an ordinance should not be a substitute for action. To enact an ordinance for the purpose of obtaining information that we already have is to trivialize the purpose of - the purpose of an import of an ordinance. And I would also suggest that with respect to this process of considering this particular ordinance, I don't think that it's helpful or productive to characterize those who have concerns with this ordinance as lacking a commitment to transparency, or as being satisfied to make decisions without information.

There's really something disingenuous about that. These shaming tactics are usually not productive, they don't work very well, and they really undermine the legitimacy of what you might be trying to achieve in the end, because emotion, not reason carry the day. So as a result, I will be a no on this proposed ordinance.

PRESIDENT CATENA: Thank you. Anyone else? Councilman DeMarco?

MR. DEMARCO: Thank you, Mr. President. Anybody that regularly attends council meetings or views them will recognize that most cases, Councilman Klein and myself are usually diametrically opposed, okay. But I couldn't agree more with his statement here and how he captured what took place during the committee process. This information is already publicly available. You know, the Pittsburgh Business Times publishes a list, you know, of the highest paid county employees and things of that nature. I find it unnecessary, and as someone who advocates consistently on behalf of limited government, I'm against passing laws just for the sake of passing laws, you know, when this is already available.

And I, too, you know, object to the characterization that if we don't support something, automatically our motives are questioned and it's claimed that we don't care about transparency or we don't care about doing our jobs. So I, too, will be a no on this tonight.

Thank you very much, Mr. President.

PRESIDENT CATENA: Thank you. Anyone else this evening?

Councilman Betkowski?

MR. BETKOWSKI: I just want to concur with Councilman Klein's comments about that it is not helpful when members of council declare that others have acted in bad faith or with a lack of transparency. I do believe

that Councilman Klein is absolutely correct, that those types of tactics do, in the end, tend to backfire and are not productive and not conducive to civility within county council.

PRESIDENT CATENA: Thank you. Councilman Duerr, did you have your hand up? I'm sorry.

MR. DUERR: I did, President Catena. I had - prior to these bills being sent back to committee for the second time, I had sent you an e-mail expressing some of my concerns with them as the prime sponsor of both bills, both this and 12208-22.

My biggest concern for both of these is I have a deep fear of the politicization of either the hiring of county department heads or the salaries of county employees. I work in a field - I work in the campaigns for a living. I work in a field where it's incredibly hard to keep folks engaged and in that field for a long period of time. And public service and serving in government is just as hard, if not harder to keep folks in there for a long period of time as well. And I believe if we're plastering - which is already available, it's been said, but if we're making a massive deal out of individual salaries who are dedicated public servants, not elected officials, employees in the county, we will see a talent drain at this institution, not for this administration, but for the next one.

And I'm worried about the type - I'm worried about the loss of talent, given what I've seen that as a campaign staffer, and the same thing for the - you know, for the other bill when it comes to the hiring and the process of the department heads. So you know, respectfully President Catena, you know, I laid out those concerns in an e-mail and I respect your desire to continue to work through some of these things in committee. Again, given that council members had concerns, I did want to say that I appreciated you doing that, but the further committee meetings did not resolve my issues with these two bills. So I will still be a no on them tonight, but I appreciate the work that you and the other co-sponsors had put in with them, so thank you.

PRESIDENT CATENA: Thank you. Councilman Futules.

MR. FUTULES: Thank you. I, too, don't agree with this ordinance for specific reasons. Specifically, the fact that we're asking every director of every

department to give us the actual salaries of 7,000 employees of this county.

Now, I know by special request or right-to-know requests, anybody in the public could find out what people make and so can we. We don't have to file a right-to-know request, all we have to do is ask. But let's assume somebody in one of these departments out of the 7,000 people shows \$40,000. How do I know to justify that his job is either underpaid or overpaid. Should I review all 7,000 employees at this county? That's the director's jobs, and the county manager and the administration, not mine or this council.

I think that - I understand that transparency is great, but I just don't feel the right to make this an ordinance, the fact that if I really want to know, I'll ask. And if I want to know, I think I will be told. So at this point, I really don't believe that I want to pass this ordinance, because there's going to be 7,000 employees in this county that are going to be pretty upset when we pass this ordinance that says we want to see what you're making. It will be real interesting to see that.

Thank you.

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

MS. HALLAM: Thank you, President Catena. So I just want to speak to a couple of things, because I just want to like break down what this bill is, because it still seems that after four committee meetings after going on six months now, so many folks here and maybe in the public don't understand what this bill is.

All this bill does is says each year when we as a council vote on \$1 billion of taxpayer dollars that we should have the information about what we're voting on when we take that vote. That's all this is. It isn't about changing salaries, it isn't about saying that I don't think that someone deserves to make this, that someone deserves to make more. That is not what the language of the bill says.

The language of the bills allows us to do our jobs. And I appreciate that some of my colleagues seem to have relationships with an administration that willingly gives them information. I'm so glad that you all have that, but there are other members of this council who do not and who continuously get denied access to information.

Yes, salary information is public after the budget is passed. How can we possibly make an informed decision without information. If you don't want this information, then don't read it when you get it. But do not tie the hands of this council and future councils from being able to make informed decisions, the jobs we were elected to do. You keep hearing that over and over again tonight, about not even this bill, but other bills. Do our jobs, that's all it takes. If you don't want the information, that doesn't mean you have to vote no, just don't look at it when you get it.

The row offices already provide us this information. We get salary information from the district attorney's office, from the treasurer's office, from the controller's office, from the sheriff's office, why doesn't the administration give us these numbers? Tell me that. This is not a dig at the current administration. The current administration is term limited and a new county executive and new administration will be coming in.

Take this vote for them. Let's make sure that we are able to do our jobs, and the only way we can do that, is that we all have equal access as equal members of council to this important information so that we can make a decision, because it is about transparency regardless if you want to say that or not.

It is about good government, which I thought we were all on the same side of. This is a good government bill. And when we talk about the workers of Allegheny County, will they be mad if we pass this bill? The only workers that I've talked to about this bill are the ones who are furious that they fill the county has not been operating in good faith in negotiating their union contracts, because they have to find out on the news that while they're beign told that they can't get measly raises, the inner circle of the county executive is getting tens of thousands of dollars of raises in one year with no job position change. Please explain that to me. Because if you vote no on this, you're going back to all of those workers, all of those folks who are busting their butts for us day-in and day-out as county employees who are negotiating in good faith when an administration in their collective bargaining agreements and being lied to and say we don't have money, when really it's just they don't have money for that.

There's plenty of money to go around where they want to give it to. It is up to us to do our job to be the checks and balances that the legislative branch is supposed to be. How can we do that without having all the information required to do our jobs? I'll be voting yes on this, and I don't understand why anyone wouldn't.

MR. DEMARCO: Mr. President?

PRESIDENT CATENA: Mr. DeMarco?

MR. DEMARCO: I would just like to point out that I'm glad my colleague in the last portion of that statement, it finally came out what this is all about. It's not about good government. It's not about transparency. It's not about anything other than she's angry that the administration provided raises to some of their folks and is trying to take and pit the administration versus our workers and some of the union contracts.

So I'm just happy that this is finally out on the table. Thank you, Mr. President.

PRESIDENT CATENA: You're welcome. Councilman Walton?

MR. WALTON: And again, in a collective bargaining process, I'm not sure, but I'm fairly certain that the administration, in none of its recent rounds of negotiation, has taken the position that there was not revenue available. And so if you - if you have documentation to demonstrate that, Councilman Hallam - Councilwoman Hallam, I'd like to see it.

So but nonetheless - but nonetheless, I believe that this as part of an ongoing effort - an ongoing effort to try to embarrass and isolate the administration. And as a result, I don't think that this legislation generates the kind of activity that is needed, and as a result, I'll vote no. But nonetheless, unless there's a serious position by other members of council, I urge us to go ahead and move to the vote.

MS. HALLAM: I'll second that. Go ahead.

PRESIDENT CATENA: Hold on. I didn't get a chance to comment, and I get to be last since I'm a president.

I'm not about - I understand everyone's concerns here tonight, but the problem with everything I'm hearing tonight is that this is all presented to us in advance. We find out about things after the fact. We pass a budget basically blindly without all of the information given to



us. We get blindsided sometimes, it happens. What my intent of this Bill was, when I have taxpayers coming up to me and saying why did this person get a 40 or 50 percent increase and I know nothing about it. And they tell me, well you voted for it. Well, yeah, I did vote for it, and I didn't know that was in the budget, and that's my - as Marty Griffin called me out for the other night - or the other day, yeah, that's my mistake and I won't be doing it again.

So I'm telling you tonight everyone can vote how they want to vote, but I'm requesting this information tonight - the request goes in to every - all county entities if this doesn't pass, I want this information or my vote will be a no on the county budget moving forwards, because I'm not voting blindly on any other county budgets moving forwards. Because that's not what we need to do. We need to be fully informed and we need to have a responsibility to the taxpayers of Allegheny County, and if we can't do that in good conscience, we shouldn't be up here sitting.

So thank you. At this point, Councilman Walton, you made the motion -.

MS. HALLAM: I second.

PRESIDENT CATENA: Go ahead.

MR. BARKER: On the motion to approve. 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?

MR. FUTULES: No.

MR. BARKER: Ms. Hallam?

MS. HALLAM: Yes.

MR. BARKER: Mr. Klein?

MR. KLEIN: No.

MR. BARKER: Mr. Macey?

MR. MACEY: No.

MR. BARKER: Ms. Naccarati-Chapkis?

MS. NACCARATI-CHAPKIS: Yes.

MR. BARKER: Mr. Palmiere?  
MR. PALMIERE: No.  
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 seven, noes eight.

The Bills fails.

PRESIDENT CATENA: Committee on Government Reform for the second reading, 12163-22.

MR. BARKER: I apologize, that was 12163.

PRESIDENT CATENA: I'm sorry, moving - 12208-22.

MR. BARKER: An ordinance of the County of Allegheny, City 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 Council Members Catena, Bennett and Hallam.

PRESIDENT CATENA: Councilwoman Hallam?

MS. HALLAM: Thank you, President Catena. On June 30th, the Committee on Government Reform met and amended the original bill and then voted to approve the amended version that changes the confirmation period from 180 days to 45 days.

So we affirmatively recommended it, and so I would like to go with the will of the committee and motion to approve this ordinance.

MS. BENNETT: Second.

PRESIDENT CATENA: Motion has been made and seconded. Discussion? Councilman DeMarco.

MR. DEMARCO: Yes, Mr. President. Thank you very much for recognizing me.

As I stated in our committee meetings, my opposition to this bill is that in a future county executive, the county council would have the de facto ability to be able to kneecap any type of incoming administration by withholding approval of that county

executive's picks for director of the things in that nature.

And it's a minority party here. Allegheny County has had three county executives in the 22 years that we've been home rule. The first one was a Republican Jim Roddey. We have a term limited executive who's up after 2023. If a Republican were to be elected county executive here, the county council would have the ability by withholding approval for the directors to kneecap an incoming administration and prevent them from being able to executive their role in their job in managing the executive branch.

I don't believe that we should have that power. We are equal. You know, branches here, this is in part of what our core mission is, and I believe that an incoming executive should have the ability to hire his team to get the job that he's been elected to do done, and for that I'm going to be a no on this. Thank you, Mr. President.

PRESIDENT CATENA: You're welcome. Any other discussion this evening? Councilwoman Hallam.

MS. HALLAM: Yeah. Again, I just want to make sure there's no confusion about this vote and what we're voting on, because it, again, seems that there must be, but this is simply another way for us to provide checks and balances to the executive branch.

The president of the United States has to get his appointments confirmed by his legislative body. The City of Pittsburgh, the Mayor of Pittsburgh, has to get his appointments confirmed by his legislative body. Why should Allegheny County Council be any different? We addressed the concern of the kneecapping of any county executives by making sure that there was not a six month weight period that someone was going to have to wait from the time their name was put forward to the time they actually heard about the position.

We have addressed the concerns over four separate committee meetings now about this bill. Again, this is a simple thing that every other functioning legislative body does. There is absolutely no reason for us to be exempt from the standards that other legislative body, including our own United States Congress and our next door neighbors, City Council, both do. I do not see any argument against this.

MR. DEMARCO: Mr. President?

PRESIDENT CATENA: Councilman DeMarco?

MR. DEMARCO: If I may, I'd like to remind my colleague there, what the United States Congress and the United States Senates approves are members of the cabinet in the federal agencies. They do not approve the actual hiring of the employees for the bureaucrats that are in there.

All of the appointments that the county executive makes today are approved through the Appointment Review Committee, and they do come before council and we vote on them. Okay? But for him to have to take and get approval on the people that work in a particular department so they can manage public works or something else that goes far outside that. So I would just differ a little bit with your contention as to what happens in Congress or city council. Thank you very much, Mr. President.

PRESIDENT CATENA: Thank you. Councilwoman Hallam?

MS. HALLAM: Yes. I would just like to point out that I personally believe that the directors of the various departments of Allegheny County are similar to a president's cabinet. Yes, we currently already have authority. I'm so glad that my colleague pointed that out.

We already have authority to approve hundreds, if not over a thousand different appointments to boards and authorities and other appointed bodies throughout the county. We already have that. Why should we stop short of the heads the department, being paid with taxpayer dollars, which again, are up to us to oversee, are up to us to vote on. That's our job. We should not kneecap this council by saying that we should have no say, regardless if it's a minority county executive, or a county executive who has a legislative body in its majority. That should not matter here.

What we're saying is that we're trying to make sure that county council is done finding about stuff out on the news. I'm so sick of finding out about what's going on in this county on the evening news when I'm 1 of 15 members elected to this legislative body. Aren't you all sick of that?

This insures that we won't hear that we have a new department head from an evening news broadcast, from a post on the county's Facebook, that we will get to meet and discuss qualifications personality, job intent with

the people who are going to be appointed to these important taxpayer funded roles. I think that's our job.

MR. DEMARCO: Mr. President?

PRESIDENT CATENA: Councilman DeMarco?

MR. DEMARCO: Yes. This was just a few short months ago where this board voted down a number of appointments that had been made, in what many would term for political reasons, okay.

MS. HALLAM: Excuse me, point of order, President Catena. I believe it's against Robert's rules to impugn the motives of your fellow colleagues.

MR. WALTON: Where is that written in Robert's?

MS. HALLAM: I believe it's actually in our administrative code. Yeah, I would just like the Council to tread lightly.

MR. DEMARCO: You might want to ask the person taking the transcription what I just said. I said what many would term is political purposes or reasons. So that to me is an indication and justification of how these types of things can be made and become political, and therefore, I'll be a no on this. Thank you, Mr. President.

PRESIDENT CATENA: Thank you. Councilman Klein?

MR. KLEIN: Well, if we consider this - if we consider this from an institutional perspective and separate the personalities out of this, I mean, the reality is that certainly there are political considerations that will often weigh heavily in this process, even where you have an executive of the same party, he might find that nominees to - you know, this kind of position might be voted down for good reasons and sometimes reasons that are otherwise.

But if we consider this from an institutional perspective, this would seem to be fundamental to the legislative branches oversight responsibilities, so I would certainly say, and echo this with respect to the county executive appoints many people to boards, authorities, agencies, you know, every year. And that is something that, you know, council signs off on. So from my vantage point I have no problem with granting council what is in my view the advice and consent power of such bodies. And I know that, you know, we've tried to liken in some way to what goes on in Washington at the federal level, but I think that, again, we're talking about - we're not talking about thousands of employees, and we're

looking ahead to the future. And in doing that, I think that we ought to as a counsel - again, as a part of our oversight responsibilities we ought to have a voice in who is nominated to serve in those leadership roles.

MR. DEMARCO: Mr. President?

PRESIDENT CATENA: Thank you, Councilman Klein. Hold on. Councilman Futules was next.

MR. FUTULES: More or less questions. But the bottom line is when a chief executive hires directors or a member of his administration, I have reason to believe that that comes under day-to-day operations. And that may be in violation of the home rule charter to pass something like this, because we have no authority over that, and now that's in question.

That's - maybe someone can answer that down there in our staff, our solicitor. But I can argue the fact that this comes under day-to-day operations.

ATTORNEY CAMBEST: Setting aside all the other comment we've had tonight, that is a question, I would assume - county council can amend the administrative code, that's not a question. And obviously you know the procedure, if you're going to change the home rule charter, you can't do that. So that could be a question raised by the administration on the passage of this type of a bill. I'm not saying it's correct. I'm just saying that could be a question.

I agree with you saying it could be a question. That's all.

MR. FUTULES: Yeah, that's what I'm saying. It's in question, that's why I'm going to be a no vote for this.

PRESIDENT CATENA: Councilman DeMarco?

MR. DEMARCO: Yeah, Mr. President, thank you again. And the last point here, I think echoes a little bit what they're saying. The authority for council to approve appointments, that is vested to us under the home rule charter. The authority for the executive and the manager to hire staff, that's also vested to them in the home rule charter. That's not subject to ordinance changes. So you know, to me, again, you know, I'm against this for the reasons that I stated, but I believe it's against the law. The law is the law.

Thank you, Mr. President.

PRESIDENT CATENA: You're welcome. Anyone else this evening?

MR. WALTON: I have a motion.

PRESIDENT CATENA: A motion has been made and second. Go ahead.

MR. BARKER: On the motion to approve. Ms. Bennett?

(WHEREUPON, AN OFF RECORD DISCUSSION WAS HELD)

PRESIDENT CATENA: We'll start with Mr. Betkowski.

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?

MR. FUTULES: No.

MR. BARKER: Ms. Hallam?

MS. HALLAM: I'm going to vote yes.

I'm just trying to stall a little bit so Liv can get back.

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: No.

MR. BARKER: It was a no?

MR. PALMIERE: No.

MR. BARKER: Thank you. Mr.

Palmosina?

MR. PALMOSINA: Yes.

MR. BARKER: Ms. Prizio?

MS. PRIZIO: Yes.

MR. BARKER: Mr. Walton?

MR. WALTON: No.

MS. BENNETT: Yes.

MR. BARKER: President Catena?

PRESIDENT CATENA: Yes.

MR. BARKER: Ayes eight, noes seven.

The Bills passes.

PRESIDENT CATENA: Committee on health and human services second reading. 12320-22.

MR. BARKER: An ordinance of Council of the County of Allegheny ratifying amendments that revise Section 2105.13, Gasoline Loading Facilities, and Section 2105.14, Gasoline Dispensing Facilities, Stage Two Control, of the Allegheny County Health Department Rules and Regulations, Article XXI, Air Pollution Control, sponsored by the Chief Executive.

PRESIDENT CATENA: Councilman Klein?

MR. KLEIN: Yes. At its committee meeting on 6/28, the committee on Health and Human Services affirmatively approved, recommended this ordinance, and it is here before council today with an affirmative recommendation.

MR. MACEY: Second.

PRESIDENT CATENA: A motion has been made and seconded. Any discussion? Hearing no discussion, Jared, please take a roll call vote.

MR. BARKER: On the motion to approve. Ms. Bennett?

MS. BENNETT:	Yes.
MR. BARKER:	Mr. Betkowski?
MR. BETKOWSKI:	Yes.
MR. BARKER:	Mr. DeMarco?
MR. DEMARCO:	Yes.
MR. BARKER:	Mr. Duerr?
MR. DUERR:	Yes.
MR. BARKER:	Ms. Filiaggi.
MS. FILIAGGI:	Yes.
MR. BARKER:	Mr. Futules?
MR. FUTULES:	Yes.
MR. BARKER:	Ms. Hallam?
MS. HALLAM:	Yes.
MR. BARKER:	Mr. Klein?
MR. KLEIN:	Yes.
MR. BARKER:	Mr. Macey?
MR. MACEY:	Yes.
MR. BARKER:	Ms. Naccarati-Chapkis?
MS. NACCARATI-CHAPKIS	Yes.
MR. BARKER:	Mr. Palmiere?
MR. PALMIERE:	Yes.
MR. BARKER:	Mr. Pamosina?
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 15, noes 0. The

Bills passes.

PRESIDENT CATENA: Committee on Sustainability and Green Initiatives for the second reading.

12162-22.

MR. BARKER: An ordinance of the County of Allegheny, City of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, Division 6, entitled Parks and Recreation, through the creation of a new sub Chapter 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 engaging in any industrial or commercial land uses within Allegheny County's parks, sponsored by Council Members Hallam, Prizio, Bennett, Betkowski and Naccarati-Chapkis.

PRESIDENT CATENA: Councilwoman Prizio?

MS. PRIZIO: Thank you very much, President Catena. On 6/30/22 the committee on sustainability and green initiatives met. And in consideration of the unanimous committee that affirmatively recommended this, I move this ordinance to a vote.

MS. HALLAM: Second.

PRESIDENT CATENA: A motion has been made and seconded. Discussion? Who wants to kick it off?  
Councilman Futules.

MR. FUTULES: I may be more qualified, and I'll tell you why. Back in 2014 John Paul Murray and Bob Macey and myself were the only people on this council when we started to discuss the Deer Lakes project at --- for the Marcellus shale. But let me be very clear, I am not in favor of drilling in a park on a well pad, okay. Let's be very clear about that.

I know that the Marcellus shale industry can be dangerous. I am very aware of that. Nothing's safe. It's an industry, so is the steel mills, but back in 2014 Range Resources approached us because a man by the name of Ken Gullick owned a 200 acre farm across the street from the park. And everybody in Deer Lakes that was within a shot of that Marcellus shale signed a lease to receive royalties.

They came to Allegheny County Council to review it. We spent months. We went to Deer lake's park, we went to Mr. Gullick's farm. We went to Washington County to see what they were doing with their Marcellus. We went to the high school and talked to the people in Deer Lakes. We did everything we could with due diligence. We held the longest committee meeting in the history of this council. It started at four o'clock and went until 12:30 a.m. with Range Resources.

During that time the president and vice president of Range Resources told us that he was going to get in trouble for what he was going to say to us, but what he said was, we don't give a damn whether you sign this lease or not. That's exactly what he said to us. We're going around you. We're going on both sides of your park, and we're going to frack whether you sign this lease or not. You're not going to stop us.

But here's what happened. Even our chief executive stood at this podium two weeks ago and told you that by us signing that lease, we increased the safety of the people in that area with water pollution, sound pollution, all of the --- you name it. We restricted the traffic, we restricted the sound, the light pollution. We made sure that these poor people in this area that only signed a lease for 12 and a half percent of their leases, their royalties were going to get that. And they said nothing about safety, nothing.

So what had happened it passed and this county received \$8 million just to sign the lease. Since 2014 this county basically hit the Powerball with the Marcellus shale. Between the county airports and the Marcellus shale at the Deer Lakes to date, this county has received \$73 million in royalties to date.

We were responsible when we voted for the Marcellus shale royalties beneath the park. Not on the park. I wanted nothing to do with a well pad in the park, and I still don't today and any other park. I'll be clear about that, but if someplace like Ron Hill or another park with the Marcellus shale is active, if everybody signs a lease around that park and we don't, we've got nothing to say about the safety of what's going on there. We have nothing to say. But by signing a lease for the subsurface, we do have something to say.

So the bottom line is, we improved the environment during that time. I see people shaking their

heads no, but that's a fact. We improved it. So I just want everybody to realize that every case - we're not city council. They voted to frack in the City of Pittsburgh, because guess what, there's no place to frack in the City of Pittsburgh, that's why they voted for it. This is a county. We've got many rural areas with farm lands and the Marcellus shale industry is here. We're not going to get rid of them. We're not going to stop them.

But why would we not consider a subsurface lease if one were to come close enough to us to receive the royalties. That doesn't make sense. I'm a businessman, and I understand the fact that us as county council, our mission is to hold the price on taxes and it's to make money for this county. That's our jobs whether we like it or not.

So the bottom line is this, this ordinance does nothing to help the environment, because if we say no, we don't want nothing to do with it, we have no say so on the private owners of these properties that are fracking. We have nothing to say to them because we can't. But if we join in, now we got to say so. Keep that in mind folks. Thank you.

PRESIDENT CATENA: Councilwoman Filiaggi, I'm sorry.

MS. FILIAGGI: It's okay. Thank you very much President Catena.

I'm speaking to the stakeholders of Allegheny County. Numerous, the numerous residents and non-residents who have sent e-mails to me and council, all who enjoy Allegheny County parks. My teenage children who grumble when I get them up early to paddle board at the North Park Lake but cannot wait to go back when we're done.

My 80-year-old mother who continuously reminds me that she was one of Hot Harry's North Park runners in the 1980s. District 2 residents, President Catena, fellow members of council, and the executive and administration. How have I made my way to my decision today? I was installed on county council in April 12th of 2022, and since then, I'm sure if anyone who listens has - knows that I have made every effort to hit the ground running and quickly get up to speed on all of the issues.

I have attended almost 30 meetings, many of those lasting several hours, and some very eventful, as I'm told. I listened and I read, and I asked questions.

I listened again and I read again, and I spoke with a lot of people.

I believe that no one wants to drill on the surface, just like Mr. Futules, Councilman Futules has said. No one wants to drill on the surface of our beautiful parks. We all should want our parks to be safe havens for residents now and in the future. That being said, I have serious concerns about the drafted language of the ordinance itself, and I do not believe that a blanket ban should stand in this case.

First, I have no doubt that this bill will not ultimately achieve the preservation goals that it is intended to set. I do believe that the intention of the framers of this ordinance was in the right spirit of preservation, but the language used was the most likely not looked at at a trial attorney with an eye towards unintended consequences and collateral damage.

As a former litigator with almost 20 years of experience who now can't even speak because I'm very nervous, the most troubling aspect about the vagueness of this ordinance is the prohibition in the exceptions clause which would, quote, prohibit the county from entering into leases and other agreements that would permit or otherwise facilitate private and/or public entities to engage in any industrial or commercial land uses.

This would put nearly 60 public, private partnerships currently operating in our parks at risk and most certainly discourage any future beneficial endeavors at park enhancements.

I have a list here of almost 60 park leases that we currently have that could become in jeopardy if this ban - blanket ban were to be approved.

In Boyce Park we have Pittsburgh Police Athletic League. They rent the house for boxing activities. In Boyce Park we have family lanes. They rent and help manage the center for at risk youth and families. Also in Boyce, we have American Snow Solutions, which is the ski slope operators. In Deer Lakes we have the amateur astronomer's association. They rent and manage the Wagman Observatory. In Hartwood Acres, at-risk would be the family polo house match. In Harrison Hills the Highlands area soccer.

In North Park we have Venture Outdoors, which we use frequently. The North Allegheny soccer club, the snow cone machine. Over the bar restaurant, the North Hills

Council of Government leases part of North Park as a leaf composite site for 19 communities in the North Hills. L.L. Bean would be at risk, Go Ape Zipline. This is all in North Park.

In South Park we have a Hundred Acres Manor. We have the South Park Senior Softball Association. We have the Mon Valley Express Drum and Bugle Corps. We have the South Park BMX track. In White Oak we have the no kill animal shelter. And in multiple parks we have First Tee of Pittsburgh. We have - and the Rachel Carson Trail Conservancy.

These are our current leases. All that would be vulnerable to an adverse reading of this ordinance. Some point me to the section that asserts that prohibited activities do not necessarily include these commercial partnerships, because they are associated with the public's recreational use and enjoyment of the parks. Who says so? That's what is subject to interpretation.

During talking to people about this ordinance, I've also discovered in my own parks there are people who don't want lights. There are people who would be glad to see over the bar removed and would gladly file suit to have some of these existing and future endeavors removed. That cannot stand, in my opinion, in this bill.

A serious read of the language, makes all partnerships vulnerable, in that they must, meaning, they the businesses and even the county must now defend or prove that their use is directly associated with the public's recreational use and enjoyment. This ordinance could actually discourage growth in positive ways and that is what the opposite - that is the opposite of what I think all of you people want.

Further, as Mr. Futules had said, this ordinance - and let me be clear, this ordinance does not bind this or any other council from reversing their decision and voting differently. The only solution here is something that's permanent, and that would be a referendum, but that takes time and that takes cooperation. While there are no - I have been assured there are no pending permits to extract now is the time for collaboration.

At this time, I urge county council and the executive branch to work together to organize as county wide sustainability initiative to sure up the future of the parks and the county as a whole to develop a comprehensive plan, something that I think Mr. Shields

referred to as the action plan, let's do that. Not this countywide ban.

A comprehensive plan by pooling resources together, scientists, lawyers, stakeholders and industry leaders to guide us and create an effective permanent policy with standards from which we can make a sound and informed decision on fracking and other issues. The Board of Health sets standards in Allegheny County all the time. Food safety standards, air quality standards and many other health related matters. Why not standards in this case where we can ensure that no unwanted and harmful activities occur in our parks.

I will respectfully vote no, because this ban, this bill is vague and does not go far enough, and it is a deterrent to existing and future public private partnerships. I appreciate the passion and the laser focus that all of you in this room have, and I appreciate what your signs are telling me to do, but again, let me be clear, I'm an avid park goer and I don't want drilling in the park, but my job as I see it, is to see the big picture, and this bill, as drafted, does not work as intended. I will vote no. Thank you, President Catena.

PRESIDENT CATENA: Councilman DeMarco?

MR. DEMARCO: Mr. President, I was just going to say, we hear all the folks who have come before us, not just this evening but in previous meetings who believe that fracking is bad. And we all agree that we should not be fracking in our parks, okay. But I share the same concerns that Councilwoman Filiaggi has in regards to the vagueness of the language and how it could affect leases that we currently have out there. You know, I think if you're going to take and do this, we should do something that would restrict what we're trying to take and address and not be overly broad.

The second thing - concern I have is that regardless - the county executive could not go and sign a lease today without our approval. One of the few powers that county council has is to oversee real estate. And so we - for any proposed lease - and there isn't one that I'm aware of currently, it would have to come before us for approval. So you know, I - and my personal opinion is that I believe that because this is one of the core powers that we hold as well as the ability to pass legislative, levy taxes and fees and things of nature that we should be looking at all potential partnerships or transactions on a

one off basis, looking at them individually and making the best decisions for the people of Allegheny County.

And for that reason, I'll be a no on this.  
Thank you, Mr. President.

PRESIDENT CATENA: Councilman Duerr?

MR. DUERR: Mine is very quick. So I just wanted to thank the residents of District 5 who had reached out to me during this process on this bill. I have tried very hard to e-mail back all of you. If I missed one, let me know.

During the committee process I had, you know, broached some concerns about the bill's effectiveness. Those still stand. I will vote yes, don't worry. I'm voting yes. But I think it's my duty as a council member to bring those concerns up during the process, as I have done by the end of the day to listen to my constituents who have told me to vote in favor of this. So if you haven't seen my statement it's on my social media, but I also have been e-mailing it out to the folks who have reached out to me.

And if I might have missed some of you, because there was, you know, about 15 folks from my district who had e-mailed me directly. Some might have gone to the county council e-mail at large. And I had e-mailed all the people who had signed up for the public forum, but if I have missed some, let me know, I'll be happy to sit down with you and talk about that statement or anything, but I will be voting yes, so I assume after that you won't care. So - but I appreciate the dialogue that I've had with my constituents about this issue and the vigor in which quite a few of them have talked to me about this.

And I even got stopped - I was at the mall, South Hills Village Mall and I had someone who actually came to our public forum days later stop me as I was eating and he was like how are you voting on the fracking bill? And I said do you have 45 minutes, I want to talk to you about it. And he was like, are you kidding me. And I sat him down in South Hills Village Mall and we talked for almost an hour on this bill. So if you ever see me in the mall, south district five people, I will talk about this stuff, so just come up to me. I'm pretty approachable, I promise.

But that's it. I just wanted to say that.  
Thank you.

PRESIDENT CATENA: Councilwoman Hallam?

MS. HALLAM: Thank you, President Catena. So we're going to hear a lot of excuses tonight; right, from folks who were going to vote no, no matter what we did. Who had multiple meetings to introduce any proposed amendments, to bring up any of these concerns, but instead, you know, all of the concerns that have been brought forth both by members of this council and from the administration who you may have seen preemptively put out a statement that they were going to veto this even before it was passed. So that was the first for me since I've been on council.

But we've heard a ton of excuses, right. We've heard well, what about the businesses that people are enjoying? Well, there's an exception for that. We've heard, well, this will bind the hands of future councils and future executives, but no, it won't. We've already talked about that, how if future councils or future executives wanted to vote to frack in a park, they would have to bring it right here, and we would have to vote on it.

We have heard that thanks to fracking in Deer Lakes Park we have a splash park. And then in our last meeting we saw pictures of that splash park from four years before they ever started drilling in Deer Lakes. And then we heard, well, this doesn't do anything anyways, because it has a repealer clause. Well, guess what, the charter require that every single bill that this body passes has a repealer clause. Every single excuse has been just that, an excuse. Nothing else.

And so instead of going back and forth and giving more excuses that have been refuted, more excuses that you have already been given opportunities to rectify in language of the bill. More excuses to try to wiggle around a vote while saying I support banning fracking in the parks, but I'm going to vote no. Like, am I missing something here? Because if you don't support fracking in the parks, then you should vote yes to ban fracking in the parks. It just seems like common sense legislation to me.

We don't need to get into all the harmful effects of fracking, because again, we have been talking about this bill for months. We have heard all the experts, the people who are way smarter than any of us. We've heard all the research, all the data. We've had folks testify about their personal experiences, we've had doctors and scientists testify about their research. The



one thing we haven't heard is anybody stand up in front of us and say don't vote for this, because I represent all of Allegheny County, so every single district that every single person is sitting up here representing, and I promise you I have heard from folks in your district who want us to pass this bill, regardless of which district you're in, but what I haven't heard any single person saying please don't ban fracking in the parks. Not once.

Not the 70-plus folks that came to our public hearing, not the dozen of folks who came here tonight. Not the hundreds, and hundreds and hundreds of folks who were in all of our e-mail inboxes, not one person has said vote no on this. So why we're sitting up here even debating excuses for why you want to vote no while saying I support the spirit of the bill, then vote yes, end of story, easy. I'm going to be voting yes, I hope everyone's going to be joining me.

PRESIDENT CATENA: Councilman Klein?

MR. WALTON: Mr. Catena?

PRESIDENT CATENA: Let Councilman Klein go, and then I'll call -.

MR. KLEIN: Yeah, thank you. I think we can make the business case for almost anything, and you know, I know that because I teach in a business school. But just because there's a financial benefit to be realized from this endeavor in the parks doesn't mean that it should trump other considerations, like, attempting as best we can to protect the sanctity of these important community assets from commercial intrusion.

I hold this seat - well, unfortunately I came to this seat as a result of my predecessor who died after her first term in office and she was seeking a second term. And she was someone who was deeply involved in the debate, the discussion with respect to fracking, hydraulic fracking in Allegheny County. Her name was Barbara Daly Danko. And she was a representative, I would say a leader of conscience and principal. And so in my vote to support this ban tonight, I offer a nod to her in some small way. And although she was a small person, she had very big shoes to fill which I will probably not be able to fill. But I will be voting in support of the ban tonight, and with a nod - or in remembrance of Barbara Daly Danko.

PRESIDENT CATENA: Councilmember Walton?

MR. WALTON: I'm simply going to remind members of council of Member Betkowski's comments earlier in the

evening about not impugning the integrity, because again, I think it's important that we share our views - and we can disagree without impugning the integrity of members intentions. The choices that members make are the choices that members make, whether we agree or disagree. And I think that we need to be wary of that, because it will come back to bite you. Thank you.

PRESIDENT CATENA: Councilwoman Naccarati-Chapkis.

MS. NACCARATI-CHAPKIS: I have a question for the solicitor. The intent of this ordinance is certainly to ban the light and heavy industrial activity in the parks associated with the oil and gas drilling. And as was mentioned earlier about the language and that speaks to commercial activity, would that apply purely to a for profit entity versus a non-profit entity?

ATTORNEY CAMBEST: I thought I read the language in there that it was for profit and non-profit. That's the way I read it. I didn't - I was not asked to look at that language. I was asked to look at the repealer language, so I gave a memo on that. But that was my initial reaction that dealt with both, industrial, commercial, public, private.

MS. NACCARATI-CHAPKIS: And as it relates where it talks about housing, there is, in my district at Boyce Park, a facility on the park property that is a home for at-risk youth. And so because that's an existing agreement, I imagine at some point, I don't know how often it gets renewed, would that then be grandfathered through this ordinance?

ATTORNEY CAMBEST: You should put - if you're going to grandfather something, you should put it in that it is going prospective, not retroactive. You should put specific language in for that.

MS. NACCARATI-CHAPKIS: Because I am new to this council, in the process, is it possible to offer an amendment this evening?

PRESIDENT CATENA: It talks about existing leases, though, doesn't it?

ATTORNEY CAMBEST: Patrick, I don't know. I'm just trying to answer the question as it comes.

MS. NACCARATI-CHAPKIS: Because I would voting - I'm a co-sponsor, I'm voting yes, obviously, for many reasons that I can speak to this evening about the intent behind this. But just for the concerns that folks had

expressed and to make it absolutely clear that the intent is for this to prohibit that heavy and light industrial activity that could occur on or under county property, county parks.

ATTORNEY CAMBEST: I think what we were looking at was the last sentence of 680-3, which talks about applying to any extensions or amendments. So I don't know the existing leases, what their terms are. Would that affect that housing if their lease expires the end of this year.

PRESIDENT CATENA: Councilwoman Hallam?

MS. HALLAM: Yes. So I will, again, point out Section 680-3, it says the provisions of Section 680-2 shall not be read, interpreted or otherwise deemed to have any effect, not just upon any lease, but also any memorandum of understanding or any other contractual relationship relating to the use of county and parks property.

We have been over this a million times. This does not affect any existing leases, contractual relationships or memorandums of understanding.

ATTORNEY CAMBEST: Only to the extent of the term of the lease.

MS. HALLAM: Correct. And any contractual agreement that they have for renewals they have for renewals thereafter. Thank you.

MS. NACCARATI-CHAPKIS: Thank you for the clarification.

PRESIDENT CATENA: Councilwoman Filiaggi?

MS. FILIAGGI: Thank you very much, President Catena. But the final sentence of 680-3, the provisions shall however apply to any extension or amendment expanding the scope of an existing agreement and/or any new or successive agreement. So yes, anything that comes up, any leases that end, that expire, anything new will and can be prohibited. And there's also housing in North Park that is subject to your - the concerns of other council members from Boyce Park.

So again, this bill, as worded, does not protect, in my opinion, in my reading does not protect even existing agreements, because someone could file suit. And if they wanted to, it would be up to the company and/or the county to defend, and we would be defending those suits with taxpayer money. So I am just suggesting

that we - you have to take a further read. It's just not that simple.

MR. DEMARCO: Mr. President?

MS. NACCARATI-CHAPKIS: Thank you, Mr. Catena. I'm sorry.

PRESIDENT CATENA: Councilman DeMarco's turn, and we'll go back to you, Solicitor.

MR. DEMARCO: Yeah. I would just say we're doing a lot of debating here in talking about some of these things. You know, I would think that this thing should go back to committee where it could be debated and amended there.

MS. HALLAM: I would like to call a question.

MR. DEMARCO: Not amended on the floor. Thank you, Mr. President.

MS. HALLAM: I just made a motion to call a question. Will you second.

PRESIDENT CATENA: Is there a second?

MS. NACCARATI-CHAPKIS: I'll second.

MR. BARKER: On the motion to call the question. Ms. Bennett?

MS. BENNETT: Yes.

MR. BARKER: Mr. Betkowski?

MR. BETKOWSKI: Yes.

MR. BARKER: Mr. DeMarco?

MR. DEMARCO: Yes.

MR. BARKER: Mr. Duerr?

MR. DUERR: Yes

MR. BARKER: Ms. Filiaggi.

MS. FILIAGGI: No.

MR. BARKER: Mr. Futules?

MR. FUTULES: I will never vote yes to end debate. No.

MR. BARKER: Ms. Hallam?

MS. HALLAM: Yes.

MR. BARKER: Mr. Klein?

MR. KLEIN: Yes.

MR. BARKER: Mr. Macey?

MR. MACEY: You should never cease debate. No.

MR. BARKER: Okay. Mr. Macey is a no.

MR. MACEY: Yes. No.

MR. BARKER: I got it. Ms. Naccarati-Chapkis?

MS. NACCARATI-CHAPKIS Yes.

MR. BARKER: Mr. Palmiere?

MR. PALMIERE: I've had it up to here  
with this thing.

MR. BARKER: That's a no on the  
motion?

MR. PALMIERE: Let's just vote on it  
to get it over it with.

MR. BARKER: That would be a yes on  
the motion then.

MR. PALMIERE: That's a yes.

MR. BARKER: Thank you. 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: I'd have to say no. I  
don't like to end debates. I'm sorry.

MR. BARKER: Ayes ten, noes five.  
The motion passes.

PRESIDENT CATENA: All right. The motion has  
been made and seconded. Debate has ended, so call the  
question.

MR. BARKER: On the motion to approve the bill.  
Ms. Bennett?

MS. BENNETT: Yes.

MR. BARKER: Mr. Betkowski?

MR. BETKOWSKI: Yes.

MR. BARKER: Mr. DeMarco?

MR. DEMARCO: Because both the  
Marcellus Shale Coalition and Pittsburgh Works submitted  
testimony opposed to the fracking ban and Councilwoman  
Hallam said no, we didn't, that's false. I'm going to say  
no.

MR. BARKER: Mr. Duerr?

MR. DUERR: Yes.

MR. BARKER: Ms. Filiaggi.

MS. FILIAGGI: No.

MR. BARKER: Mr. Futules?

MR. FUTULES: No.

MR. BARKER: 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:	Yes.
MR. BARKER:	President Catena?
PRESIDENT CATENA:	Yes.
MR. BARKER:	Ayes 11, noes 4. The

Bills passes.

PRESIDENT CATENA: Okay. Are there any liaison reports? Seeing no liaison reports, we'll go to new Business Ordinances and Resolutions.

12354-22.

MR. BARKER: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Administrative Code of Allegheny County, Article 301, entitled County Council, Section 5-301.03, entitled County Council Districts, in order to provide for the reappointment of Council districts within Allegheny County, sponsored by Council Member Duerr.

PRESIDENT CATENA: That will go to the special committee on 2021 - or 2021/22 re-enforcement.

12355-22.

MR. BARKER: An ordinance amending and supplementing the Allegheny County Code of Ordinances, Division 5, entitled Health and Sanitation, through the creation of a new Chapter 550, entitled Right of Choice, sponsored by Council Members Duerr, Bennett, Prizio, Hallam and Klein.

PRESIDENT CATENA: Health and Human Services, 12356-22.

MR. BARKER: An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, Division 2, entitled County Government Operations, through the creation of a new Chapter 290, entitled Law

Enforcement Prioritization, sponsored by Council Members Duerr, Bennett, Prizio, Naccarati-Chapkis, Hallam and Klein.

PRESIDENT CATENA: Health and Human Services, 12357-22.

MR. BARKER: An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, Division 6, entitled Parks and Recreation, through the creation of a new sub Chapter 680, entitled Certain Agreements Prohibited, in order to restrict the leasing, sale and/or any other agreements that would permit or otherwise facilitate private and/or public entities engaging in any minerals and natural gas extraction-related activities within Allegheny County's parks, sponsored by Council Members Futules, Walton and Macey.

PRESIDENT CATENA: Sustainability and Green Initiatives, 12358-22.

MR. BARKER: A resolution of County of Allegheny amending the Grants and Special Accounts Budget for 2022, Submissions 02-22, sponsored by the Chief Executive.

PRESIDENT CATENA: That will go to Budget and Finance.

Any New Business?

MR. BARKER: No motions, no.

PRESIDENT CATENA: Notification of Contracts?

MR. BARKER: Also none.

PRESIDENT CATENA: Public comment on general items?

MR. BARKER: We did have three individuals sign up, all submitted written comments. John Cain, Brian Englert, who I know had to leave, and Burton Comensky.

MS. HALLAM: A point of personal privilege, President Catena. After this speaker goes, the previous speaker had to leave but submitted written comments. I would just like to ask that those are read.

PRESIDENT CATENA: Okay.

MS. HALLAM: Thank you.

MR. COMENSKY: County Council, members and President Catena and friends that I do know on Council. I'm going to speak about a park of a different nature, almost as important as the county parks. This is a housing project, it's called Orchard Park. It's in Duquesne, Pennsylvania.

As you'll see on the handout that I'm giving you, the property is zoned by the county housing department. Lots of folks talk about parks, and I guess I should tell you who I am first. I am Burton Comensky, I live at 915 Maryland Avenue, Duquesne, Pennsylvania. My wife's chair of the Democratic Committee in Duquesne, also a school director in the City of Duquesne.

As a resident and elected official of Duquesne and Duquesne's Orchard Park - and Duquesne's Orchard Park county housing, there's been since inception a lack of a playground, facilities for the resident youth there. As the property belongs to the county, I am bringing up the fact that this type of facility is needed and wanted by the residents of Orchard Park.

In 2015 when Orchard Park was built, there was enough land set aside even if you wanted to put a football field, okay. The handout that you had, page one you can see that it is owned by the county. Pictured on page two are the - are the Orchard Park itself. The third page is off the Allegheny GIS website showing you the property itself. You can see that there's a lot of land there. These kids need a place to play. Like, they do say, idle minds are the devil's brew. Well, idle hands with kids, they get everything up, okay, and whatever, okay.

Just because these kids live in Duquesne does not mean they should lack facilities to play, other than the street. The nearest park is maybe three-quarters of a mile away. Duquesne is only a square mile, and it's pretty small. But I really believe that county council talked about a billion dollar budget - I'm not talking about a billion dollar budget, I'm talking about a small percentage of it to help these kids, give them something. Keep them where they can play and not play in the streets. Like, you see people in parking lots, how they fly around, they don't know how to do a speed limit in a parking lot. And this housing facility they don't know a speed limit either.

But yes, that's why I brought this to your attention, and I hope everything would work, and county council can put it together and get the park for these kids. Thank you.

PRESIDENT CATENA: Thank you. Anyone else?

MR. BARKER: That's the last of the people who signed up.



My name is Brian Englert, President of Allegheny County Prison Employees Independent Union. I write asking for the same residency considerations for new correctional officer hires afforded to 911.

We are currently short 60 officers. I also ask council to consider approving hiring bonuses for corrections officers as they are for nursing right now. Controller Royston noted in the current pension analysis that the lack of nursing and corrections jobs feeding into the pension is negatively impacting the fund balance with over \$50 million in surplus, 50 signing bonuses of \$2,000 is only costing \$100,000.

We struggle to retain 40 percent of the cadets in the first year due to 80 hour work weeks, or the fact that they only have one uniform that they wash daily because the vendor can't fulfill orders. And the county, specifically Deputy County Manager refuses to allow us to purchase from an alternate vendor, a remedy that exists in the vendor contract.

Thanks for your time, please consider my request.

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

MR. MACEY: So moved.

PRESIDENT CATENA: Is there a second?

MR. PALMOSINA: Second.

PRESIDENT CATENA: The motion has been made and seconded. All those in favor, signify by saying aye.

(Chorus of ayes.)

PRESIDENT CATENA: All opposed? The motion carries. Thank you, everyone. Have a nice evening.

MEETING CONCLUDED AT 6:52 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 16 day of September, 2022

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

Jeremy Harris,

Court Reporter