

Allegheny County Council

*County of Allegheny
436 Grant Street
Pittsburgh, PA 15219
Phone (412) 350-6495
Fax (412) 350-6499*



Regular Meeting Agenda

Tuesday, April 15, 2008

5:00 PM

Regular Meeting, Fourth Floor, Gold Room

County Council

Rich Fitzgerald, President; Chuck Martoni, Vice-President; Jim Burn, Joan Cleary, John DeFazio, Matt Drozd, Jim Ellenbogen, Mike Finnerty, Nick Futules, Vince Gastgeb, Amanda Green, Bob Macey, Chuck McCullough, Jan Rea, and William Russell Robinson - Members

Copies of all proposed legislation contained in this agenda can be viewed or obtained from the Chief Clerk, Office of County Council, Room 119 Courthouse, 436 Grant Street, Pittsburgh,

PA 15219 Phone: 412-350-6495, or on Council's web site:

www.county.allegheny.pa.us/council.

- I. Call To Order**
- II. Pledge of Allegiance**
- III. Silent Prayer or Reflection**
- IV. Roll Call**
- V. Proclamations/Certificates**

3914-08 Certificate of Achievement recognizing the Mt. Alvernia High School Girls' Basketball Team for winning the WPIAL Class A Championship

Sponsors: Jim Burn

3915-08 Certificate of Achievement recognizing the youth and adults involved with the 2008 Power of Youth in Government program.

Sponsors: Rich Fitzgerald, Chuck Martoni, Amanda Green, Michael Finnerty, Bob Macey, Vince Gastgeb, William Russell Robinson and Joan Cleary

3916-08 Certificate of Achievement recognizing Keystone Oaks Wrestler Anthony Zanetta for winning the WPIAL and PIAA Class AA Championships.

Sponsors: Jim Ellenbogen

3917-08 Proclamation recognizing local students Ben Bergel and DaMarra Underwood, and local teacher Brandy Ralston, who were recently honored by the National Foundation for Teaching Entrepreneurship.

Sponsors: Rich Fitzgerald

3918-08 Proclamation honoring former Upper St. Clair Township Commissioner Robert W. "Bill" Bates for his dedicated years of service to the Upper St. Clair community.

Sponsors: Chuck McCullough and Vince Gastgeb

3919-08 Certificate of Achievement recognizing Shady Side Academy wrestlers Geoff Alexander, Matthew Cunningham, and Kurt Brendel for winning the WPIAL Class AA Championship and wrestlers Dane Johnson and Roman Sandoval for winning the WPIAL and PIAA Class AA Championships.

Sponsors: Jim Burn

3920-08 Proclamation commending The New Sun Rising organization for its extensive efforts to bring a public library to Millvale Borough.

Sponsors: Jim Burn

3921-08

Certificate of Achievement recognizing the Serra Catholic High School Boys' Basketball Team for winning the WPIAL and PIAA Class A Championships and to Coach Bob Rozanski and player Pat Grubbs for being named Boys' Coach and Player of the year by The McKeesport Daily News.

Sponsors: Bob Macey

3922-08

Certificate of Achievement recognizing North Allegheny Senior High School wrestler Karl DeCiantis for winning the Southwest Class AAA Championship.

Sponsors: Jan Rea

3923-08

Proclamation declaring April 28, 2008 "Workers Memorial Day" in Allegheny County.

Sponsors: John DeFazio and Amanda Green

3924-08

Certificate of Achievement recognizing Plum Senior High School wrestler Zack Zummo for winning the Southwest Class AAA Championship.

Sponsors: Nick Futules

3925-08

Certificate of Achievement recognizing West Allegheny High School wrestler Troy Reaghard for winning the Southwest Class AAA Championship.

Sponsors: Michael Finnerty

3926-08

Proclamation commending Plum Senior Community Center employee Toni Franco for her life-saving efforts on February 21, 2008.

Sponsors: Nick Futules

To be entered into the Record

3927-08

Certificate of Achievement recognizing BSA Troop 139 scouts Sean and Bryan McCormick for achieving the rank of Eagle Scout.

Sponsors: Nick Futules

To be entered into the Record

3928-08

Proclamation recognizing the Allegheny County Hazardous Materials Response Program upon the occasion of its 20th anniversary.

Sponsors: Rich Fitzgerald, Chuck Martoni, Michael Finnerty, Bob Macey, Joan Cleary, Jim Ellenbogen, Vince Gastgeb, William Russell Robinson, Nick Futules and Amanda Green

To be entered into the Record

3929-08

Proclamation congratulating the Mendelssohn Choir of Pittsburgh as it prepares to celebrate its 100th anniversary.

Sponsors: Rich Fitzgerald, Chuck Martoni, Michael Finnerty, Bob Macey, Joan Cleary, Jim Ellenbogen, Vince Gastgeb, William Russell Robinson, Nick Futules and Amanda Green

To be entered into the Record

3930-08 Proclamation declaring April 27-May 3, 2008 "Credit Union Week" in Allegheny County.

Sponsors: Bob Macey and Vince Gastgeb

To be entered into the Record

3931-08 Proclamation honoring Osborne Borough as it celebrates its 125th anniversary.

Sponsors: Michael Finnerty

To be entered into the Record

3932-08 Certificate of Achievement recognizing BSA Troop 4 scout Sean O'Brien for achieving the rank of Eagle Scout.

Sponsors: Vince Gastgeb

To be entered into the Record

3933-08 Certificate of Achievement recognizing BSA Troop 225 scout Eric Weiss for achieving the rank of Eagle Scout.

Sponsors: Vince Gastgeb

To be entered into the Record

3934-08 Certificate of Achievement recognizing West Mifflin Area High School wrestlers Sam Sherlock and James Fleming for winning the Southwest Class AAA Championship.

Sponsors: Bob Macey

To be entered into the Record

3935-08 Certificate of Achievement recognizing Chartiers Valley High School wrestler Dan Utchel for winning the Southwest Class AAA Championship.

Sponsors: Michael Finnerty

To be entered into the Record

3936-08 Proclamation declaring April 5, 2008 "Kay Bello Day" in Allegheny County.

Sponsors: Vince Gastgeb

To be entered into the Record

3937-08 Proclamation declaring April 21-25, 2008 "Small Business Week" in Allegheny County.

Sponsors: Rich Fitzgerald, Chuck Martoni, Michael Finnerty, Bob Macey, Joan Cleary, Jim Ellenbogen, Vince Gastgeb, William Russell Robinson, Nick Futules and Amanda Green

To be entered into the Record

3938-08 Proclamation recognizing PA One Call System upon the occasion of its 36th anniversary.

Sponsors: Bob Macey

To be entered into the Record

3939-08 Certificate of Recognition congratulating Chester and Pat Ornowski upon the occasion of their 60th wedding anniversary.

Sponsors: Bob Macey

To be entered into the Record

3940-08 Proclamation welcoming former Irish Prime Minister and current European Union Ambassador to the United States, John Bruton, to Allegheny County.

Sponsors: Rich Fitzgerald, Chuck Martoni, Vince Gastgeb, Jan Rea, Matt Drozd, Chuck McCullough, Michael Finnerty, Bob Macey and Nick Futules

To be entered into the Record

3941-08 Certificate of Achievement recognizing West Mifflin Girls' Basketball Coach Phil Shar and player Raven Metz for being named "Girls' Coach of the Year" and "Girls' Player of the Year" by the McKeesport Daily News.

Sponsors: Bob Macey

To be entered into the Record

3942-08 Proclamation recognizing the Clairton Volunteer Fire Department upon the occasion of its 20th anniversary.

Sponsors: Joan Cleary

To be entered into the Record

3943-08 Certificate of Recognition congratulating Sam's Club West Mifflin upon the occasion of its 25th anniversary.

Sponsors: Bob Macey

To be entered into the Record

3944-08 Certificate of Recognition commending West Mifflin High School senior Cassandra Furnival for founding the Organization for Charitable Youths program.

Sponsors: Bob Macey

To be entered into the Record

VI. Public Comment On Agenda Items

VII. Presentation of Appointments

3899-08 Appointment - Approving the appointment of George Kurn to serve as a Member of the Council of Friends (Harrison Hills) for a term to expire on April 15, 2010.
Sponsors: Jim Burn

3900-08 Appointment - Approving the appointment of Teri McClain to serve as a Member of the Council of Friends (White Oak) for a term to expire on April 15, 2010.
Sponsors: Bob Macey

3901-08 Appointment - Approving the appointment of Ron Regrut to serve as a Member of the Council of Friends (White Oak) for a term to expire on April 15, 2010.
Sponsors: Bob Macey

3902-08 Appointment - Approving the reappointment of Dorothy Lebowitz to serve as a Member of the Council of Friends (White Oak) for a term to expire on April 15, 2010.
Sponsors: Bob Macey

3903-08 Appointment - Approving the reappointment of Dolores Weinstein to serve as a Member of the Council of Friends (White Oak) for a term to expire on April 15, 2010.
Sponsors: Bob Macey

3904-08 Appointment - Approving the reappointment of William Plumb to serve as a Member of the Council of Friends (White Oak) for a term to expire on April 15, 2010.
Sponsors: Bob Macey

VIII. Unfinished Business

Committee on Appointment Review - Second Reading

3830-08 Appointment - Approving the appointment of Vivian A. Sweeney to serve as a member of Allegheny County Area Agency on Aging Advisory Board for a term to expire on December 31, 2010.
Sponsors: Chief Executive

Legislative History

3/18/08	County Council	Referred
4/8/08	Committee on Appointment Review	Affirmatively Recommended

3831-08

Appointment - Approving the appointment of Dr. Caesar A. Garofoli to serve as a member of Allegheny County Area Agency on Aging Advisory Board for a term to expire on December 31, 2010.

Sponsors: Chief Executive

Legislative History

3/18/08	County Council	Referred
4/8/08	Committee on Appointment Review	Affirmatively Recommended

3833-08

Appointment - Approving the appointment of William A. Desantis to serve as a member of Allegheny County Area Agency on Aging Advisory Board for a term to expire on December 31, 2010.

Sponsors: Chief Executive

Legislative History

3/18/08	County Council	Referred
4/8/08	Committee on Appointment Review	Affirmatively Recommended

3835-08

Appointment - Approving the appointment of Michele Balcer to serve as a member of Allegheny County Area Agency on Aging Advisory Board for a term to expire on December 31, 2010.

Sponsors: Chief Executive

Legislative History

3/18/08	County Council	Referred
4/8/08	Committee on Appointment Review	Affirmatively Recommended

3836-08

Appointment - Approving the appointment of Michael Enright to serve as a member of Allegheny County Mental Health/Mental Retardation Advisory Board for a term to expire on December 31, 2010.

Sponsors: Chief Executive

Legislative History

3/18/08	County Council	Referred
4/8/08	Committee on Appointment Review	Affirmatively Recommended

Committee on Budget and Finance - Second Reading

3673-08

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, Division 4, entitled "Finances," through the creation of a new Chapter 485, entitled "Gaming Revenues," in order to provide a uniform mechanism for accepting and disbursing revenues provided to the County under the terms of the Pennsylvania Racehorse Development and Gaming Act, 4 P.S. §1101 et. seq.

Sponsors: Chuck McCullough, Matt Drozd, Vince Gastgeb, William Russell Robinson and Jan Rea

Legislative History

1/15/08	County Council	Referred
1/22/08	Committee on Budget and Finance	Held in Committee
2/12/08	Committee on Budget and Finance	Affirmatively Recommended
2/19/08	County Council	Referred
2/26/08	Committee on Budget and Finance	Amended & Held in Committee
4/8/08	Committee on Budget and Finance	Amended & Negatively Recommended as Amended

3864-08

A Resolution ratifying certain year-end transfers pursuant to Section 805.03 of the Administrative Code.

Sponsors: Chief Executive

Legislative History

4/1/08	County Council	Referred
4/8/08	Committee on Budget and Finance	Affirmatively Recommended

3866-08

A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2008 (Submission #05-08).

Sponsors: Chief Executive

Legislative History

4/1/08	County Council	Referred
4/8/08	Committee on Budget and Finance	Affirmatively Recommended

3867-08

A Resolution of the County of Allegheny amending the 2008 Capital Budget for Allegheny County.

Sponsors: Chief Executive

Legislative History

4/1/08	County Council	Referred
4/8/08	Committee on Budget and Finance	Affirmatively Recommended

Committee on Economic Development & Housing - Second Reading

3865-08

A Resolution approving a project for the benefit of Duquesne University of the Holy Spirit (the "University"), to be financed by the Allegheny County Higher Education Building Authority by the issuance of the Authority's tax-exempt or taxable bonds, to be issued in one or more series, in the aggregate principal amount not to exceed \$35,000,000, provided that the taxing power of the County of Allegheny, Pennsylvania, shall not be obligated in any way with respect to the Bonds (hereinafter defined), and determining that the purpose of the financing will be to benefit the health and welfare of the citizens of Allegheny County, Pennsylvania.

Sponsors: Chief Executive

Legislative History

4/1/08	County Council	Referred
4/10/08	Committee on Economic Development & Housing	Affirmatively Recommended

Committee on Health & Human Services - Second Reading3890-08

A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, urging the General Assembly and Governor to enact a statewide ban on smoking in public places with all deliberate speed.

Sponsors: Joan Cleary, Rich Fitzgerald and Michael Finnerty

Legislative History

4/1/08	County Council	Referred
4/10/08	Committee on Health & Human Services	Affirmatively Recommended

IX. Liaison Reports**X. New Business - Ordinances & Resolutions**3905-08

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing acceptance of cherry trees through the Sakura (Cherry Blossom) Project, in association with the Japanese Association of Greater Pittsburgh.

Sponsors: Chief Executive

3906-08

An Ordinance Authorizing the County of Allegheny to convey approximately 10.6071 acre lot of excess land along Green Commons Road in Scott Township to Senterra Building and Development, Inc., a private developer of property.

Sponsors: Chief Executive

3910-08

An Ordinance amending the Allegheny County Code of Ordinances, Division 1, entitled "Administrative Code," Article 808.B, "Rental Vehicle Taxation," §5-808.B.02 in order to provide for a uniform one percent (1%) discount for early remittance of tax amounts due and owing to the County by vehicle rental companies.

Sponsors: Rich Fitzgerald and Michael Finnerty

[3911-08](#)

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, Division 4, entitled "Finances," through the creation of a new Chapter 491, entitled "Community College of Allegheny County Appropriations," in order to provide a mechanism for adjusting the County's annual budgetary appropriation to the Community College of Allegheny County in order to keep pace with rising inflationary costs.

Sponsors: William Russell Robinson, Amanda Green, Michael Finnerty and Chuck Martoni

[3912-08](#)

An Ordinance amending the Allegheny County Code of Ordinances, Division 1, entitled "Administrative Code," Article 808.A, "Alcoholic Beverage Taxation," §5-808.A.02 in order to provide for a uniform one percent (1%) discount for early remittance of alcoholic beverage tax amounts due and owing to the County by Vendors.

Sponsors: Rich Fitzgerald, Michael Finnerty, Bob Macey and Chuck Martoni

[3907-08](#)

A Resolution providing for a program of temporary exemption from county real property taxes for improvements, including repairs, construction, or reconstruction, made on industrial, commercial or business property in a deteriorated area in the Township of Findlay, County of Allegheny County, Commonwealth of Pennsylvania, pursuant to the Local Economic Revitalization Tax Assistance Act, Pa. Stat. Ann. Tit. 72 §4722 et seq.

Sponsors: Chief Executive

[3908-08](#)

A Resolution providing for a program of temporary exemption from county real property taxes for improvements, including repairs, construction, or reconstruction, made on industrial, commercial or business property in a deteriorated area in the Municipality of Monroeville, County of Allegheny, Commonwealth of Pennsylvania, pursuant to the Local Economic Revitalization Tax Assistance Act, Pa. Stat. Ann. Tit. 72 §4722 et seq.

Sponsors: Chief Executive

[3909-08](#)

A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2008 (Submission #06-08).

Sponsors: Chief Executive

[3945-08](#)

A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, establishing a formal policy guideline for the execution of contracts or other agreements with entities located outside the United States for the conveyance of freight into or through Allegheny County from points located outside the United States.

Sponsors: William Russell Robinson, Amanda Green, Chuck Martoni and Michael Finnerty

XI. New Business - Motions

3946-08 Motion of the Council of Allegheny County endorsing the provisions of H.R. 5036, currently pending before the United States House of Representatives, and urging the United States Congress to enact the provisions of the bill as currently drafted.

Sponsors: Chuck McCullough and John DeFazio

XII. Public Comment on General Items

XIII. Adjournment