

# Allegheny County Council

*County of Allegheny  
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## Agenda Synopsis

**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](http://www.county.allegheny.pa.us/council).*

**I. Call To Order****II. Pledge of Allegiance****III. Silent Prayer or Reflection****IV. Roll Call**

**Roll Call:** Present: Council Member Burn, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Council Member Green, Council Member Macey, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: Council Member Martoni

**V. Proclamations/Certificates**

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

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

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

**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.  
**Presented**

**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.  
**Presented**

**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.  
**Presented**

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

**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.  
**Presented**

**3922-08** Certificate of Achievement recognizing North Allegheny Senior High School wrestler Karl DeCiantis for winning the Southwest Class AAA Championship.  
**Presented**

**3923-08** Proclamation declaring April 28, 2008 "Workers Memorial Day" in Allegheny County.  
**Presented**

**3924-08** Certificate of Achievement recognizing Plum Senior High School wrestler Zack Zummo for winning the Southwest Class AAA Championship.  
**Read**

**3925-08** Certificate of Achievement recognizing West Allegheny High School wrestler Troy Reaghard for winning the Southwest Class AAA Championship.  
**Read**

**3926-08** Proclamation commending Plum Senior Community Center employee Toni Franco for her life-saving efforts on February 21, 2008.  
**Read**

**3927-08** Certificate of Achievement recognizing BSA Troop 139 scouts Sean and Bryan McCormick for achieving the rank of Eagle Scout.  
**Read**

**3928-08** Proclamation recognizing the Allegheny County Hazardous Materials Response Program upon the occasion of its 20th anniversary.  
**Read**

**3929-08** Proclamation congratulating the Mendelssohn Choir of Pittsburgh as it prepares to celebrate its 100th anniversary.  
**Read**

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

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

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

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

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

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

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

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

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

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

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

**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.

**Read**

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

**Read**

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

**Read**

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

**Read**

## **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.

**A motion was made that this matter be Passed. The motion carried unanimously.**

**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.

**A motion was made that this matter be Passed. The motion carried unanimously.**

**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.

**A motion was made that this matter be Passed. The motion carried unanimously.**

**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.

**A motion was made that this matter be Passed. The motion carried unanimously.**

**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.

**A motion was made that this matter be Passed. The motion carried unanimously.**

**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.

**A motion was made that this matter be Passed. The motion carried unanimously.**

## **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.

**A motion was made that this matter be Passed. The motion carried unanimously.**

**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.

**A motion was made that this matter be Passed. The motion carried unanimously.**

**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.

**A motion was made that this matter be Passed. The motion carried unanimously.**

**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.

**A motion was made that this matter be Passed. The motion carried unanimously.**

**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.

**A motion was made that this matter be Passed. The motion carried unanimously.**

### **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.

**Referred to the Committee on Budget and Finance**

**3864-08** A Resolution ratifying certain year-end transfers pursuant to Section 805.03 of the Administrative Code.

**A motion was made that this matter be Passed for Chief Executive Signature. The motion carried by the following vote:**

**Votes:** Yes: 14 - Council Member Burn, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Council Member Green, Council Member Macey, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 1 - Council Member Martoni

**3866-08** A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2008 (Submission #05-08).

**A motion was made that this matter be Passed for Chief Executive Signature. The motion carried by the following vote:**

**Votes:** Yes: 14 - Council Member Burn, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Council Member Green, Council Member Macey, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 1 - Council Member Martoni

**3867-08** A Resolution of the County of Allegheny amending the 2008 Capital Budget for Allegheny County.

**A motion was made that this matter be Passed for Chief Executive Signature. The motion carried by the following vote:**

**Votes:** Yes: 14 - Council Member Burn, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Council Member Green, Council Member Macey, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 1 - Council Member Martoni

### **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.

**A motion was made that this matter be Passed for Chief Executive Signature. The motion carried by the following vote:**

**Votes:** Yes: 14 - Council Member Burn, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Council Member Green, Council Member Macey, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 1 - Council Member Martoni

**Committee on Health & Human Services - Second Reading**

**3890-08** 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.

**A motion was made that this matter be Passed for Chief Executive Signature. The motion carried by the following vote:**

**Votes:** Yes: 13 - Council Member Burn, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Gastgeb, Council Member Green, Council Member Macey, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald  
Noes: 1 - Council Member Futules  
Absent: 1 - Council Member Martoni

**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.

**Referred to the Committee on Parks**

**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.

**Referred to the Committee on Economic Development & Housing**

**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.

**Held**

**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.

**Referred to the Committee on Budget and Finance**

**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.

**Held**

**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.

**Referred to the Committee on Economic Development & Housing**

**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.

**Referred to the Committee on Economic Development & Housing**

**3909-08** A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2008 (Submission #06-08).

**Referred to the Committee on Budget and Finance**

**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.

**Referred to the Committee on Government Reform**

## **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.

**A motion was made that this matter be Passed. The motion carried unanimously.**

## **XII. Public Comment on General Items**

## **XIII. Adjournment**

