

# **Allegheny County Council**

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## **Committee Meeting Minutes**

**Thursday, April 27, 2006**

**5:00 PM**

**Conference Room 1**

## **Special Committee on Government Reform**

*Rich Fitzgerald, Chair -- Committee of the Whole*

**I. Call to Order**

**Summary:** *The meeting was called to order at 5:00 PM*

**Invited Guests:**

**John Weinstein, County Treasurer or Designee**

**Stephen Zappala, District Attorney or Designee**

**Jim Flynn, County Manager or Designee**

**Mike Wojcik, County Solicitor or Designee**

**Summary:** *Invited Guests Present: Tom Bradley for Mr. Weinstein; Dawn Botsford for Mr. Zappala; Derek Uber for Mr. Flynn; and Bob Borgoyne for Mr. Wojcik*

*Council Staff Present: John Mascio and Jared Barker*

**II. Roll Call**

**Roll Call:** Present: Jim Burn, Susan Caldwell, Joan Cleary, Matt Drozd, Michael Finnerty, Brenda Frazier, Vince Gastgeb, Jan Rea, and Chair Rich Fitzgerald  
Absent: John DeFazio, Dave Fawcett, Chuck Martoni, Rich Nerone, and William Robinson

**III. Agenda Items**

**Ordinance**

**2330-06**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, to facilitate the reporting and recording of information by contractors operating within Allegheny County.

**Sponsors:** Rich Fitzgerald, Chuck Martoni, Jim Burn, John DeFazio, Vince Gastgeb, C.L. Jabbour, Eileen Watt, Rich Nerone, Joan Cleary, Michael Finnerty and Jan Rea

**Summary:** *Mr. Burn provided the committee with a summary of the bill. He said that the bill would create a program in which contractors doing business within Allegheny County could obtain a yearly certificate from the County once they place basic information about their business and certifications regarding their business on record. He said that as the bill is currently written, the required certifications are that the business is fully bonded and insured if so required under state law, that the business employs individuals who are eligible to work in the United States, that the business complies with all federal, state and local tax laws, and that the business will notify all employers of the registration status of all subcontractors that they employ.*

*He said that there is no penalty provision contained within this bill and that participation in the program would be strictly voluntary on the part of the contractors. The bill would, however, permit the County to keep centralized records on complaints filed against contractors participating in the program for the use of the public.*

*Ms. Rea requested that she be added as a sponsor of the bill.*

*Mr. Bradley questioned the county's authority to enforce the bill since other licenses are*

*predicated upon state law. Mr. Borgoyne said that the county already licenses plumbers through the Health Department and said that it would be wise to exempt them from this bill since they are already covered.*

*The Chair indicated that the intent of the bill is not to restrict businesses but to protect residents from unscrupulous contractors. Mr. Borgoyne said that the statewide building code requires a certain level of inspection but a lot of local jurisdictions also license contractors.*

*Mr. Gastgeb said that he would like to have this issue addressed on the state level.*

*Ms. Frazier said that she would like to have input from the MWDBE.*

*The Chair said that he believes that this would provide some comfort level for residents.*

*Mr. Bradley said that there may be a problem implementing this through the Treasurer's Office since that have no expertise in this field. He said that no one on their staff has that type of background and that if they do have to implement it they would need some type of training.*

*Ms. Rea agreed with Mr. Bradley.*

*Ms. Botsford said that she would like to see this program be mandatory instead of voluntary but agreed that it was a step in the right direction. She said that the county's Purchasing Division should be able to assist with this since many have expertise in this matter. She said they are used to doing this type of work.*

*Mr. Finnerty said that he did not think that the Treasurer's Office should be involved with this. He said that he thinks that the Controller's Office should be involved since they deal with contracts.*

*Ms. Cleary asked Mr. Borgoyne to explain the county's contract process. He did so. Ms. Cleary asked if this would put the small contractors out of business. The Chair said that he did not think that would happen since at one hundred dollars he did not see that as cost prohibitive.*

*Ms. Frazier asked if there were any elements of discrimination in the bill. Mr. Burn said that he did not see any.*

*Mr. Finnerty said that since the program is voluntary this would not hurt the handyman since most of their business is word of mouth and they would always have jobs.*

*The Chair said that the bill was a work in progress and that he would like to have some input from the Treasurer's Office, the District Attorney's Office and the Law Department.*

**Action:**

**Held in Committee**

**Resolutions**

**2382-06**

A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, calling on the Pennsylvania General Assembly and the Governor, to assist in protecting the residents of Allegheny County by specifically authorizing the implementation of a contractor licensing program in Allegheny County.

**Sponsors:** Vince Gastgeb

**Summary:**

*Mr. Gastgeb provided the committee with a summary of the bill. He said that the bill would request that the General Assembly authorize the creation of a comprehensive system of contractor licensing in Allegheny County.*

*He said that before they take any action on this bill he would like to invite someone from the state to discuss this with the committee.*

**Action:**

**Held in Committee**

**2522-06**

<http://www.wedalert.com/songs/firstdance/index2.asp>

**Sponsors:** Jan Rea

**Summary:**

*Ms. Rea provided the committee with a summary of the bill. She said that the bill is requesting an alteration in County policy regarding the acquisition of new voting machines under the Help America Vote Act. She explained that the bill requests that Board of Elections put off a final decision on which voting machines to purchase for the short term by leasing certified HAVA-compliant optical scan voting machines for use in the 2006 and 2007 Primary and General Elections. She said that the purpose for this action would be to provide adequate time for the evaluation, certification, and purchase of a new HAVA-compliant voting system for use in the May 2008 Primary Election and thereafter.*

*Ms. Rea said that she had hoped that the new voting machines would provide a paper trail but since that did not happen they would need to educate the people. She said that she would like to place this on the agenda based on the outcome of a law suit pending against the county regarding the acquisition of voting machines.*

**Action:**

**Released from the Committee**

**2541-06**

A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, urging the Pennsylvania General Assembly to adopt provisions requiring a referendum before any school district may raise its property taxes through a millage increase similar to those contained within Act 72 of 2004 pertaining to earned income and personal income tax increases.

**Sponsors:** Matt Drozd

**Summary:**

*Mr. Drozd provided the committee with a summary of the bill. He said that bill urges the General Assembly to enact a requirement that any increase in school tax millage rates must be approved by referendum before becoming effective. He said that the bill requests that any referendum requirement created mirror the requirement contained within Act 72, and mandate that the referendum clearly state the current tax rate, the proposed increased rate, and the reason for the proposed increase. He reminded the committee that the Public School Code currently does not require that school districts*

*that have not participated in Act 72 receive approval via referendum for any tax increases.*

*Mr. Drozd urged the committee to vote in favor of this bill. He said it was a means to make Allegheny County more competitive. The Chair said that last year County Council was on record as urging school districts to participate in Act 72 but not a lot of school districts did this. Ms. Caldwell said that her school district did not do this because the county itself did not.*

*Mr. Finnerty said that he does not believe that council has any authority in this matter and he spoke against the bill. He said that council should deal with matters that they have control over.*

*Mr. Gastgeb said that unless the bill were approved unanimously it would have no impact whatsoever. He said that council should speak as one body.*

*Mr. Drozd spoke in favor of the bill and questioned the fairness of teacher contracts.*

*The Chair polled the committee on whether they would desire to hold the bill in committee or release it. Council Members Gastgeb, Rea, and Drozd said that they would like to release the bill from committee. Council Members Burn, Finnerty, Caldwell, and Fitzgerald opted to hold the bill.*

*The bill was held.*

**Action:**        **Held in Committee**

#### **IV.     Adjournment**

**Summary:**     *The meeting adjourned at 5:55 PM*