

Allegheny County Council

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



Agenda Synopsis

Tuesday, April 7, 2009

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

The meeting was called to order at 5:00 PM

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, Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald

V. Proclamations/Certificates

[4758-09](#) Proclamation declaring April 2009 as Fair Housing Month in Allegheny County.

Presented

[4759-09](#) Certificates of Recognition honoring local chapters of the NAACP for their involvement with the national organization's 100th anniversary.

Presented

[4760-09](#) Proclamation honoring the 50th anniversary of the vocal harmony group the Skyliners.

Presented

[4761-09](#) Proclamation declaring April 2009 as Child Abuse Prevention Month in Allegheny County and recognizing A Child's Place at Mercy for their efforts to help abuse victims.

Presented

[4762-09](#) Proclamation recognizing Brenda L. Frazier for her efforts in fighting for women's rights, which were recognized during Women's History Month last March.

Presented

[4763-09](#) Certificate of Achievement honoring the Bethel Park High School Wrestling Team for winning the WPIAL Class AAA Team Wrestling Championship.

Presented

[4764-09](#) Certificate of Achievement honoring Nick Carr of South Fayette High School for winning the WPIAL Class AA Wrestling Championship in the 145-pound weight

class.

Presented

4765-09

Certificate of Achievement honoring Anthony Zanetta of Keystone Oaks for winning the WPIAL and PIAA Class AA Wrestling Championship in the 119-pound weight class.

Presented

4766-09

Certificate of Achievement honoring Jordan Roussos of Carlynton High School for winning the WPIAL and PIAA Class AA Wrestling Championship in the 285-pound weight class.

Presented

4767-09

Certificate of Achievement honoring Sam Sherlock of West Mifflin High School for winning the WPIAL and PIAA Class AAA Wrestling Championship in the 125-pound weight class.

Read

4768-09

Certificate of Achievement honoring Joe Waltko of North Allegheny High School for winning the WPIAL and PIAA Class AAA Wrestling Championship in the 130-pound weight class.

Read

4769-09

Certificate of Achievement honoring Troy Reaghard of West Allegheny High School for winning the WPIAL Class AAA Wrestling Championship in the 171-pound weight class.

Read

4770-09

Certificate of Achievement honoring Jake Leninsky of West Allegheny High School for winning the WPIAL Class AAA Wrestling Championship in the 189-pound weight class.

Read

4771-09

Certificate of Achievement honoring Geoff Alexander of Shady Side Academy for winning the WPIAL Class AA Wrestling Championship in the 112-pound weight class.

Read

4772-09

Certificate of Achievement honoring Frank Martelotti of Shady Side Academy for winning the WPIAL Class AA Wrestling Championship in the 130-pound weight class.

Read

4773-09 Certificate of Achievement honoring Dane Johnson of Shady Side Academy for winning the WPIAL and PIAA Class AA Wrestling Championship in the 140-pound weight class.
Read

4774-09 Certificate of Achievement honoring Matthew Cunningham of Shady Side Academy for winning the WPIAL Class AA Wrestling Championship in the 160-pound weight class.
Read

4775-09 Certificate of Achievement honoring Roman San Doval of Shady Side Academy for winning the WPIAL Class AA Wrestling Championship in the 189-pound weight class.
Read

4776-09 Proclamation commending William Gelzhiser of Pleasant Hills for his life-saving efforts on January 27, 2009.
Read

4777-09 Proclamation honoring the Massaro Family for their community service and for receiving the Ad Lucem Award from La Roche College.
Read

4778-09 Certificate of Achievement commending Zachary Kevin Parks for reaching the rank of Eagle Scout.
Read

4779-09 Proclamation recognizing Neighborhood Academy as a landmark school in Allegheny County.
Read

4780-09 Certificate of Recognition honoring the 50th wedding anniversary of Mr. and Mrs. Huey.
Read

4781-09 Certificate of Recognition honoring the 50th wedding anniversary of Mr. and Mrs. Campbell.
Read

4782-09 Certificate of Recognition honoring the 50th wedding anniversary and community service efforts of Mr. and Mrs. Oberle.
Read

4783-09 Certificate of Recognition honoring the 60th wedding anniversary of Mr. and Mrs. Cunningham.

Read

VI. Public Comment On Agenda Items

VII. Presentation of Appointments

4748-09 Communication from Chief Executive Dan Onorato submitting his recommendation of Reverend Dr. William H. Curtis for reappointment to the Sports and Exhibition Authority of Pittsburgh and Allegheny County for a term to expire on December 31, 2013.

Referred to the Committee on Appointment Review

4749-09 Communication from Chief Executive Dan Onorato submitting his recommendation of Dr. James H. McLemore for reappointment to the Allegheny County Mental Health/Mental Retardation Advisory Board for a term to expire on December 31, 2011.

Referred to the Committee on Appointment Review

4750-09 Communication from Chief Executive Dan Onorato submitting his recommendation of Mr. Scott Federbusch for reappointment to the Allegheny County Mental Health/Mental Retardation Advisory Board for a term to expire on December 31, 2011.

Referred to the Committee on Appointment Review

VIII. Unfinished Business

Committee on Appointment Review - Second Reading

4616-09 Appointment - Approving the appointment of Joyce Murray to serve as a member of the Drug and Alcohol Planning Council of Allegheny County for a term to expire on December 31, 2011.

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

4618-09 Appointment - Approving the reappointment of Jack Shea to serve as a member of the Allegheny County Sanitary Authority for a term to expire on December 31, 2013.

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

4619-09 Appointment - Approving the reappointment of Evelyn Benzo to serve as a member of the Allegheny County Housing Authority for a term to expire on December 31, 2013.

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

4620-09

Appointment - Approving the reappointment of Eddie Edwards to serve as a member of the Allegheny County Port Authority for a term to expire on December 31, 2013.

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

4621-09

Appointment - Approving the reappointment of James Dodaro to serve as a member of the Allegheny County Port Authority for a term to expire on December 31, 2013.

A motion was made that this matter be Passed. 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, Green, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald

Noes: 1 - Council Member McCullough

4622-09

Appointment - Approving the reappointment of Dr. Helen Cahalane to serve as a member of the Children Youth and Families Advisory Committee for a term to expire on December 31, 2011.

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

4623-09

Appointment - Approving the reappointment of Avis B. Kotovsky to serve as a member of the Children Youth and Families Advisory Committee for a term to expire on December 31, 2011.

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

4624-09

Appointment - Approving the reappointment of Dr. Mary Carrasco to serve as a member of the Children Youth and Families Advisory Committee for a term to expire on December 31, 2011.

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

4625-09

Appointment - Approving the reappointment of Georgia C. Hernandez to serve as a member of the Children Youth and Families Advisory Committee for a term to expire on December 31, 2011.

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

4626-09

Appointment - Approving the reappointment of Lisa M. Coluatti to serve as a member of the Children Youth and Families Advisory Committee for a term to expire on December 31, 2011.

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

4627-09

Appointment - Approving the reappointment of Dr. Diego Chaves-Gnecco to serve as a member of the Children Youth and Families Advisory Committee for a term to expire on December 31, 2011.

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

4674-09 Appointment - Approving the reappointment of Senator Sean Logan to serve as a member of the Sports and Exhibition Authority of Pittsburgh for a term to expire on December 31, 2013.

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

4681-09 Appointment - Approving the reappointment of Eva Bednar to serve as a member of the Allegheny County Mental Health/Mental Retardation Advisory Board for a term to expire on December 31, 2011.

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

4682-09 Appointment - Approving the reappointment of Richard Jevon to serve as a member of the Allegheny County Mental Health/Mental Retardation Advisory Board for a term to expire on December 31, 2011.

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

4683-09 Appointment - Approving the reappointment of Linda Ehrlich to serve as a member of the Children Youth and Families Advisory Committee for a term to expire on December 31, 2011.

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

4684-09 Appointment - Approving the reappointment of Susan Gove to serve as a member of the Children Youth and Families Advisory Committee for a term to expire on December 31, 2011.

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

4685-09 Appointment - Approving the reappointment of Kathleen Musante DeWalt, Ph.D to serve as a member of the Children Youth and Families Advisory Committee for a term to expire on December 31, 2011.

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

4686-09 Appointment - Approving the appointment of Ronald J. Seyko to serve as a member of the Drug and Alcohol Planning Council of Allegheny County for a term to expire on December 31, 2011.

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

4687-09 Appointment - Approving the reappointment of David W. Minnotte to serve as a member of the Allegheny County Airport Authority for a term to expire on December 31, 2013.

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

4688-09 Appointment - Approving the reappointment of Jeffrey Letwin to serve as a member of the Allegheny County Port Authority for a term to expire on

December 31, 2013.

A motion was made that this matter be Passed. 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, Green, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald
Noes: 1 - Council Member McCullough

Committee on Government Reform - Second Reading

4695-09 An Ordinance of the County of Allegheny authorizing the County to enter into an intergovernmental cooperation agreement with the City of Pittsburgh under which the County will provide purchasing and procurement services on behalf of the City.

Referred to the Committee on Government Reform

4729-09 Motion Expressing the Sense of Council of Allegheny County supporting the Employee Free Choice Act, which would authorize the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them, provide for first contract mediation and arbitration, and establish meaningful penalties for violations of a worker's freedom to choose a union.

A motion was made that this matter be Passed. The motion carried by the following vote:

Votes: Yes: 11 - Council Member Burn, Council Member Cleary, Council Member DeFazio, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Green, Council Member Macey, Council Member Martoni, Council Member Robinson and President Fitzgerald
Abstentions: 4 - Council Member Drozd, Council Member Gastgeb, Council Member McCullough and Council Member Rea

4162-08 An Ordinance amending and supplementing the Allegheny County Code of Ordinances, Division 1, entitled "Administrative Code," Article 203, entitled "County Authorities," through the creation of a new Section 5-203.10 governing lobbying activities by the County's authorities.

A motion was made that this matter be Held. The motion carried by the following vote:

Votes: Yes: 10 - Council Member Burn, Council Member Drozd, Council Member Futules, Council Member Gastgeb, Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea and Council Member Robinson
Noes: 5 - Council Member Cleary, Council Member DeFazio, Council Member Ellenbogen, Council Member Finnerty and President Fitzgerald

Committee on Budget and Finance - Second Reading

4699-09 A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2009 (Submission #05-09).

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 Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald
Not present: 1 - Council Member DeFazio

Committee on Economic Development & Housing - Second Reading

4696-09 An Ordinance Of The County Of Allegheny, Commonwealth Of Pennsylvania, Authorizing The Conveyance of The County Of Allegheny's Interest In A Parcel To The American Ukrainian Citizens Club.

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 Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald
Not present: 1 - Council Member DeFazio

4697-09 An Ordinance authorizing the development of certain portions of County owned property known as the Kane Regional Center-Ross and the transfer of the County's interest in such property to the developer in phases through deed or ground lease

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 Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald
Not present: 1 - Council Member DeFazio

Committee on Public Safety - Second Reading

4660-09 An Ordinance authorizing the County of Allegheny to acquire the Municipal Courts Building located at 1st Avenue, City of Pittsburgh, County of Allegheny, PA 15219 Block & Lot No. 0002-P-00299 from the Commonwealth of Pennsylvania for One (\$1.00) Dollar.

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 Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald
Not present: 1 - Council Member DeFazio

Executive Committee - Second Reading

4634-09 Motion of the Council of Allegheny County approving an Allegheny County Council Policy Governing Access to Public Records.

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

IX. Liaison Reports

X. New Business - Ordinances & Resolutions

4740-09 An Ordinance authorizing the County of Allegheny to clear the right-of-way for, and to acquire by condemnation certain parcels of land for this project, and to take such further action as may be necessary under applicable law, including the Eminent Domain Code.

Referred to the Committee on Public Works

4741-09 An Ordinance authorizing the County of Allegheny to sell a 4.23 acre parcel of excess land for the amount of \$461,070.00, plus a \$1000.00 administrative fee, to Parkway Park Associates, and refund to the Pennsylvania Department of Transportation the sum of \$461,070.00 representing the Bayer Corporation approved donation credit for construction of Settler's Cabin Interchange.

Referred to the Committee on Public Works

4742-09 An Ordinance authorizing the County of Allegheny to convey real property interests to the City of Pittsburgh.

Referred to the Committee on Public Works

4743-09 An Ordinance authorizing the County of Allegheny to sell a $0.787\pm$ acre parcel of excess land at the intersection of Hulton Road (SR 2082 and SR 2058) and Coxcomb Road (SR 2083, formerly LR 677) in Plum Borough, to T. D. Holdings, LLC. for consideration in the amount of \$5,000.00, upon approval by Pennsylvania Department of Transportation.

Referred to the Committee on Public Works

4744-09 An Ordinance authorizing the County of Allegheny to sell excess rights-of-way and easements to Pennsylvania Department of Transportation, for Mt. Nebo Road in Ohio Township and for Greensburg Pike in North Versailles Borough.

Referred to the Committee on Public Works

4751-09 An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the disposition of a county-owned vehicle to the Spring Garden Fire Company, Reserve Township Station 240, for use in providing emergency services.

Referred to the Committee on Public Safety

4752-09 An Ordinance of the Council of the County of Allegheny, Commonwealth of Pennsylvania, amending the Allegheny County Code of Ordinances, Chapter 435, entitled "Minority Business Enterprise Program," §435-3, entitled "Advisory

Committee," in order to clarify the organizational structure of the County's MBE Advisory Committee.

Referred to the Committee on Government Reform

4753-09

An Ordinance of the Council of the County of Allegheny approving the M/W/DBE participation policy of the Port Authority of Allegheny County.

Referred to the Committee on Government Reform

4745-09

A Resolution authorizing the Allegheny County Police Training Academy to apply for and to accept a grant from the Municipal Police Officers' Education and Training Commission (MPOETC) and agreeing to adhere to all rules, regulations and training standards established by MPOETC.

Referred to the Committee on Public Safety

4746-09

A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2009 (Submission #06-09).

Referred to the Committee on Budget and Finance

4754-09

A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, Designating the month of April 2009 as "Child Abuse Prevention Month" in Allegheny County.

Second reading waived

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 Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald
Not present: 1 - Council Member DeFazio

XI. New Business - Motions

4756-09

Motion of the Council of Allegheny County to convene a working group, with representation from the Executive and Legislative branches of County of Allegheny, to review and, as appropriate, revise Allegheny County's existing facilities master plan.

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

XII. Public Comment on General Items

XIII. Adjournment

The meeting adjourned at 7:10 PM