

# Allegheny County Council

*County of Allegheny  
436 Grant Street  
Pittsburgh, PA 15219  
Phone (412) 350-6495  
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## Agenda Synopsis

**Tuesday, March 4, 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, 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 Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald

**V. Proclamations/Certificates**

**3797-08** Proclamation paying tribute to the life and legacy of Pittsburgh Steelers broadcasting legend Myron Cope.

**Read**

**3799-08** Proclamation recognizing Fox Chapel Area High School students Julia Hazlet, Doug Weisband, and Kevin Pflumm for their efforts in pushing Pennsylvania lawmakers to allow 17-year-olds to vote in the primary elections.

**Presented**

**3800-08** Proclamation recognizing Raymond "Ray" Petrick as he retires from his 30-year career as a Lieutenant with the North Fayette Volunteer Fire Department.

**Presented**

**3801-08** Proclamation commending John Zelen, former state police officer and detective with the Allegheny County District Attorney's Office, for his successful career in law enforcement that spanned more than 40 years.

**Presented**

**3813-08** Proclamation honoring the late Edward Fecho, a veteran Allegheny County emergency dispatcher who, along with his wife Jane, passed away on February 22, 2008.

**Presented**

**3817-08** Proclamation recognizing the highest-ranked Pittsburgh-area professional boxer, Monty Meza-Clay, for being a champion both in the ring and in his Rankin community.

**Presented**

**3802-08** Proclamation recognizing the South Park Historical Society's Green Project,

which seeks to help the environment by replacing plastic shopping bags with reusable canvas bags throughout the South Park area.

**Read**

**3803-08** Proclamation congratulating the Clairton Volunteer Fire Department for being named the 2008 Organization of the Year by the Clairton Chamber of Commerce.

**Read**

**3804-08** Certificates of Achievement recognizing BSA Troop 215 Scouts Derek Dmitrzak, Brian Walsh, and Steven Miller for achieving the rank of Eagle Scout.

**Read**

**3805-08** Certificate of Recognition celebrating Tumac's Covers' 50th anniversary in business.

**Read**

**3806-08** Certificate of Achievement recognizing BSA Troop 368's William Douglas Samo for achieving the rank of Eagle Scout.

**Read**

**3807-08** Proclamation celebrating the 150th anniversary of Fawn Township.

**Read**

**3808-08** Proclamation recognizing Steve Orosz for his long history of public service in Chalfant.

**Read**

**3809-08** Proclamation congratulating Wanda Ivanco for being named Citizen of the Year 2008 by the Penn Hills Progress.

**Read**

**3810-08** Proclamation naming March 13, 2008 "World Kidney Day" in Allegheny County.

**Read**

**3811-08** Certificates of Recognition honoring outgoing Presidents of the Allegheny County Chiefs of Police Association, Chief George Polnar (2006) and Chief John Mackey (2007).

**Read**

## **VI. Public Comment On Agenda Items**

## **VII. Approval of Minutes**

**3790-08** Motion to approve the Minutes of the Regular Meeting of County Council held on January 15, 2008  
**A motion was made that this matter be Passed. The motion carried unanimously.**

## VIII. Presentation of Appointments

**3767-08** Appointment - Approving the reappointment of Jeff McGreary to serve as a member of the Council of Friends Organization (North Park) for a term to expire on March 4, 2010.  
**A motion was made that this matter be Passed. The motion carried unanimously.**

**3768-08** Appointment - Approving the reappointment of John Montgomery to serve as a member of the Council of Friends Organization (North Park) for a term to expire on March 4, 2010.  
**A motion was made that this matter be Passed. The motion carried unanimously.**

**3769-08** Appointment - Approving the reappointment of Anita Gallagher to serve as a member of the Council of Friends Organization (North Park) for a term to expire on March 4, 2010.  
**A motion was made that this matter be Passed. The motion carried unanimously.**

**3770-08** Appointment - Approving the reappointment of Elaine Davis to serve as a member of the Council of Friends Organization (North Park) for a term to expire on March 4, 2010.  
**A motion was made that this matter be Passed. The motion carried unanimously.**

**3771-08** Appointment - Approving the reappointment of Patrick Kopnick to serve as a member of the Council of Friends Organization (Harrison Hills) for a term to expire on March 4, 2010.  
**A motion was made that this matter be Passed. The motion carried unanimously.**

**3772-08** Appointment - Approving the reappointment of MardelleKopnick to serve as a member of the Council of Friends Organization (Harrison Hills) for a term to expire on March 4, 2010.  
**A motion was made that this matter be Passed. The motion carried unanimously.**

**3773-08** Appointment - Approving the reappointment of Cynthia Maleski to serve as a member of the Council of Friends Organization (Harrison Hills) for a term to expire on March 4, 2010.  
**A motion was made that this matter be Passed. The motion carried unanimously.**

**3774-08** Appointment - Approving the reappointment of Tom Nehrer to serve as a member of the Council of Friends Organization (Harrison Hills) for a term to expire on March 4, 2010.

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

**3775-08** Appointment - Approving the reappointment of Susan Vertosik to serve as a member of the Council of Friends Organization (Harrison Hills) for a term to expire on March 4, 2010.

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

**3776-08** Appointment - Approving the reappointment of Mary McMasters to serve as a member of the Council of Friends Organization (Settler's Cabin) for a term to expire on March 4, 2010.

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

**3777-08** Appointment - Approving the reappointment of Nancy Mills to serve as a member of the Council of Friends Organization (Settler's Cabin) for a term to expire on March 4, 2010.

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

**3778-08** Appointment - Approving the reappointment of Janice Vinci to serve as a member of the Council of Friends Organization (Settler's Cabin) for a term to expire on March 4, 2010.

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

**3779-08** Appointment - Approving the reappointment of Lawrence Lennon, P.E. to serve as a member of the Council of Friends Organization (Settler's Cabin) for a term to expire on March 4, 2010.

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

**3780-08** Appointment - Approving the reappointment of Roger Horgan to serve as a member of the Council of Friends Organization (Settler's Cabin) for a term to expire on March 4, 2010.

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

**3781-08** Appointment - Approving the appointment of Bob Kopler to serve as a member of the Council of Friends Organization (Hartwood) for a term to expire on March 4, 2010.

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

**3782-08** Appointment - Approving the reappointment of Charlene Campbell to serve as a member of the Council of Friends Organization (Hartwood) for a term to expire on March 4, 2010.

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

**3783-08** Appointment - Approving the reappointment of Angie Kazmeraski to serve as a member of the Council of Friends Organization (Boyce) for a term to expire on

March 4, 2010.

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

**3784-08**

Appointment - Approving the reappointment of Sally Foster to serve as a member of the Council of Friends Organization (Hartwood) for a term to expire on March 4, 2010.

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

**3785-08**

Appointment - Approving the reappointment of Gerald J. Aufman, Jr. to serve as a member of the Council of Friends Organization (North Park) for a term to expire on March 4, 2010.

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

**3786-08**

Appointment - Approving the reappointment of Joe Catanese to serve as a member of the Council of Friends Organization (Deer Lakes) for a term to expire on March 4, 2010.

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

**3787-08**

Appointment - Approving the reappointment of Richard J. Mackey to serve as a member of the Council of Friends Organization (Boyce Park) for a term to expire on March 4, 2010.

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

**3788-08**

Appointment - Approving the reappointment of Paul Dern to serve as a member of the Council of Friends Organization (Boyce Park) for a term to expire on March 4, 2010.

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

**3789-08**

Appointment - Approving the reappointment of Michelle "Mickey" Trapolsi Underwood to serve as a member of the Council of Friends Organization (South Park) for a term to expire on March 4, 2010.

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

**3791-08**

Appointment - Approving the reappointment of Rachel Sack to serve as a member of the Council of Friends Organization (Deer Lakes Park) for a term to expire on March 4, 2010.

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

**3792-08**

Appointment - Approving the reappointment of Sam Sack to serve as a member of the Council of Friends Organization (Deer Lakes Park) for a term to expire on March 4, 2010.

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

## **IX. Unfinished Business**

**Committee on Government Reform - Second Reading****3734-08**

An Ordinance amending and supplementing the Allegheny County Code of Ordinances, Division 1, entitled "Administrative Code," through the creation of a new Article 705, entitled "Naming Rights," in order to establish uniform County policies for the disposition of naming rights relative to County property.

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

**Enactment No: 08-08-OR**

**3763-08**

An Ordinance amending the Allegheny County Code of Ordinances, Division 4, entitled "Finances," Chapter 475, entitled "Taxation," Section 475-50.1, entitled "Homestead status reevaluation schedule," in order to clarify the ability of the Allegheny County Controller to provide information to the Chief Assessment Officer regarding properties which are partially exempted from taxation due to application of the homestead exemption under the terms of the Homestead Property Exclusion Program Act (Act 50 of 1998, 53 P.S. §8581 et. seq.).

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

**Enactment No: 10-08-OR**

**Committee on Budget and Finance - Second Reading****3758-08**

A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2008 (Submission #03-08).

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

**Enactment No: 06-08-RE**

**Committee on Economic Development & Housing - Second Reading****3716-08**

An Ordinance Of The County Of Allegheny, Commonwealth Of Pennsylvania Authorizing The Chief Executive To Execute A Deed Conveying The County Of

Allegheny's Interest In A Parcel To Wall Borough.

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

**Enactment No: 07-08-OR**

**3752-08**

A Resolution approving a project for the benefit of the Pauline Auberle Foundation (the "Foundation") to be financed by the Authority for Improvements in Municipalities by the issuance of a Note(s) through the Authority, in an aggregate principal amount not to exceed \$2,000,000, provided that the taxing power of the County of Allegheny, Pennsylvania, shall not be obligated in any way with respect to the Note, 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 Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald

**Enactment No: 04-08-RE**

**3755-08**

A Resolution approving a Project for the benefit of Point Park University (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 in excess of \$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 Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald

**Enactment No: 05-08-RE**

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

**3746-08**

An Ordinance of the County of Allegheny amending Article XXI of the Allegheny County Health Department's Rules and Regulations, "Air Pollution Control Regulations and Addition to State Implementation Plan, modifying

Section 2104.02, which will change the particulate emissions limitations for the US Steel Clairton Works' Coke Screening #3 process.

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

**Enactment No: 09-08-OR**

## X. Liaison Reports

## XI. New Business - Ordinances & Resolutions

**3794-08** An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, Division 4, entitled "Finances," by the creation of a new Article 490 entitled "Financing Fees," in order to establish a process for reviewing the County's fees for certain financing activities.

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

**3795-08** An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the transfer of the County Bureau of Weights and Measures as an office under the County Chief Executive ("Chief Executive") to an office within and under the purview of the Office of the County Controller ("Controller").

**Referred to the Committee on Government Reform**

**Enactment No: 11-08-OR**

**3796-08** A Resolution Approving a Project for the benefit of Carnegie Mellon University (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 \$135,000,000 including required reserves (if any) and costs of issuance, 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.

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

**Enactment No: 09-08-RE**

**3798-08** A Resolution approving a Project for the benefit of the University of Pittsburgh Medical Center ("UPMC") to be financed by the Allegheny County Hospital Development 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 in

excess of \$500,000,000, 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.

*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 DeFazio, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald

**Enactment No: 03-08-RE**

**3818-08** An Ordinance amending Chapter 215 of the Allegheny County Code of Ordinances, entitled "Boards, Commissions and Committees," Article III, entitled "Council of Friends," §215-11, entitled "Membership; terms of office," in order to expand representation on the Council of Friends organizations for each of the nine County parks.

*This bill was not on the original Agenda. A Motion was approved to place this bill on the Agenda.*

**Referred to the Committee on Parks**

**3819-08** 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 480, entitled "Essential Services and Tax Exempt Verification Certification," in order to provide for a tax exempt certification and essential services fee for certain properties within the County for which an exemption from the real property tax is claimed.

*This bill was not on the original Agenda. A Motion was approved to place this bill on the Agenda.*

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

## **XII. New Business - Motions**

**3814-08** Motion of the Council of Allegheny County directing Council's solicitor to file suit against the Allegheny County Airport Authority in order to determine the appropriate disposition of the proceeds from the sale of certain U.S. Airways stock by the Authority.

**Referred to the Committee on Government Reform**

**3815-08** Motion of the Council of Allegheny County authorizing the Committee on Economic Development and Housing to conduct a public hearing, pursuant to Article II.G. of the Rules of Allegheny County Council on Wednesday, March 26, 2008, beginning at 5 p.m. in the Gold Room of the Allegheny County

Courthouse. Council President Rich Fitzgerald or his designee will serve as the presiding officer.

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

**3816-08** Motion Expressing the Sense of the Council of Allegheny County regarding continued deliberation on and discussion of Bill No. 3663-08, treating the proposed County Essential Services Fee.

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

### **XIII. Notification of Contracts**

**3793-08** Communication from County Manager Jim Flynn submitting a summary of Executive Actions relating to contracts for the months of December 2007 and January 2008.

**A motion was made that this matter be Received and Filed. The motion carried unanimously.**

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

### **XV. Adjournment**