

# Allegheny County Council

436 Grant Street  
Pittsburgh, PA 15219  
Phone (412) 350-6490  
Fax (412) 350-6499



## Meeting Minutes

Tuesday, October 16, 2018

4:30 PM

Conference Room 1

## Committee on Public Works

*Bob Macey, Chair; Sam DeMarco, Cindy Kirk, Paul Klein, Robert Palmosina, Denise Ranalli-Russell and DeWitt Walton, Members*

## I. Call to Order

*The meeting was called to order at 4:30.*

### Invited Guests:

**William D. McKain, CPA, Allegheny County Manager or designee(s)**  
**Stephen Shanley, Director, Allegheny County Department of Public Works**

*Mr. McKain was present from the Office of the County Manager.*

*Mr. Shanley and Mr. Dillon were present from the Department of Public Works.*

*Mr. Barker was present from the Office of County Council.*

## II. Roll Call

**Members Present:** 3 - Robert Palmosina, DeWitt Walton and Bob Macey

**Members Absent:** 4 - Sam DeMarco, Cindy Kirk, Paul Klein and Denise Ranalli-Russell

**Members** 2 - Sue Means and Anita Prizio

**Non-Members:**

## III. Approval of Minutes

## IV. Agenda Items

### Ordinances

#### [10782-18](#)

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing to transfer a portion of McKees Rocks - Steubenville Pike Road, at Connie Park Drive and Clever Road, to Kennedy Township.

**Sponsors:** Chief Executive

*Mr. Palmosina moved to add Bill No. to the agenda, the Chair seconded, and the motion passed by voice vote.*

*At the request of the Chair, the clerk read the title of the bill and the Chair expressed support for the ordinance. Mr. Dillon explained the history of the County's right of way ownership and indicated that the Township has expressed a desire to acquire title to the right of way parcels.*

**A motion was made by Palmosina, seconded by Walton, that this matter be Affirmatively Recommended. The motion carried by a unanimous vote.**

#### [10790-18](#)

An Ordinance authorizing the County of Allegheny to acquire by condemnation certain right-of-way and temporary construction easement areas from the eleven remaining parcels required to reconstruct Kenmawr Bridge carrying Kenmawr Ave/South Braddock Ave over Norfolk Southern Railway in the Boroughs of Rankin and Swissvale, and to take such further action as may be necessary under applicable law, including the Eminent Domain Code.

**Sponsors:** Chief Executive

*At the request of the Chair, the clerk read the title of the bill and Mr. McKain noted the importance of maintaining the connection established by the Kenmawr Bridge between Swissvale and South Braddock. Mr. Shanley noted that the bridge in question is in poor condition, and must be raised in order to accommodate larger rail traffic underneath it. Mr. Shanley indicated that the County is working with the boroughs to ensure appropriate maintenance once the improved structure is in place, and noted that a temporary bridge would have to be put in place during the construction.*

*Mr. McKain noted that the County always attempts to reach an agreement with property owners regarding fair market value and that these efforts would continue with the parcels at issue here, but that the project cannot be delayed due to the importance of repairing the bridge. Mr. Shanley indicated that there is the possibility of reaching an agreement with at least one of the property owners regarding fair market value in the near future.*

*Mr. Macey noted that there is consensus regarding the importance of and necessity for the project.*

*In response to questions from Ms. Means, Mr. McKain noted that the project is 100% federally reimbursed, Mr. McKain discussed how the timeline for actually exercising eminent domain powers is derived and how the negotiation process typically unfolds for projects that are federally funded, and Mr. McKain and Mr. Shanley described how escrow is handled in eminent domain scenarios.*

**A motion was made by Palmosina, seconded by Macey, that this matter be Affirmatively Recommended. The motion carried by a unanimous vote.**

#### 10791-18

An Ordinance authorizing the County of Allegheny to acquire by condemnation certain right-of-way and easement areas from a parcel required to stabilize the slope above Worthington Avenue and below Gilmore Drive in Jefferson Hills Borough, and to take such further action as may be necessary under applicable law, including the Eminent Domain Code.

**Sponsors:** Chief Executive

*At the request of the Chair, the clerk read the title of the bill and Mr. McKain summarized its provisions, noting that the transaction at issue is a little different than the one previously discussed. Mr. Shanley indicated that the project is necessary after landslides in the Worthington Avenue vicinity pose a significant safety risk, and that some of the property necessary to undertake the remediation work is owned by multiple heirs, some of whom cannot be located.*

*In response to questions from Ms. Means, Mr. Dillon indicated that the project bids had been received, with the lowest responsible bid being in the neighborhood of \$217,000, and that the easement may be permanent in nature, but that the declaration of emergency enables immediate action.*

**A motion was made by Palmosina, seconded by Macey, that this matter be Affirmatively Recommended. The motion carried by a unanimous vote.**

#### 10792-18

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the Department of Public Works to donate certain rights-of-way, in fee simple, and easements to the Pennsylvania Department of Transportation, as required

for two bridge projects.

**Sponsors:** Chief Executive

*At the request of the Chair, the clerk read the title of the bill and Mr. Shanley summarized its provisions, indicating that a pair of PennDOT bridge construction projects necessitate having access to some small pieces of property owned by the County. Mr. Dillon indicated that the County originally built the roads involved and retains some excess right of way for which it has no use as a result, and Mr. McKain noted that the property in question has no value to the County.*

*In response to questions from Ms. Means, Mr. McKain noted that he was not aware of whether the other taxing bodies had approved similar measures as of yet, and that the bridge projects are being undertaken and funded by PennDOT.*

**A motion was made by Palmosina, seconded by Macey, that this matter be Affirmatively Recommended. The motion carried by a unanimous vote.**

## V. Adjournment

*The meeting was adjourned at 4:52.*