

Bill No. 1602-04

No. 27-04-RE

A RESOLUTION

A Resolution authorizing the County of Allegheny Public Works Department to sell excess recycled asphalt pavement material to the Montour Trail Council to extend the County-owned Montour Trail into Washington County.

Whereas, the County of Allegheny acquired a portion of the corridor of the Montour Railroad within Allegheny County in December 1991 for developing the Montour Trail as a recreational rail-trail (Project No. Z191-79MR), and

Whereas, the Montour Trail Council, a non-profit corporation organized in 1989, has been assisting the County of Allegheny in developing, administering and operating the Allegheny County owned Montour Trail through its Management Contract No. 1623, Agreement No. 31347, dated December 13, 1993, and

Whereas, the Montour Trail Council also holds title to the Montour Trail within Washington County, and

Whereas, County Council finds it appropriate to extend the Montour Trail into Washington County as a regional trail for use by residents of both Allegheny County and Washington County; and

Whereas, Allegheny County Public Works Department, under a Public-Private Partnership Agreement No. 31349 with the Montour Trail Council dated December 13, 1993, has provided excess Recycled Asphalt Pavement (RAP) material for the Montour Trail Council to install on the Montour Trail within Allegheny County, and

Whereas, Montour Trail Council seeks to purchase additional excess RAP from Allegheny County to install on certain portions of the Montour Trail in Washington County, and

Whereas, County Council deems it advisable to sell RAP material to the Montour Trail Council for said purposes.

The Council of the County of Allegheny hereby enacts as follows:

Section 1. Incorporation of the Preamble.

The provisions set forth in the preamble to this Resolution are incorporated by reference in their entirety herein.

Section 2. Authorization to Sell Material.

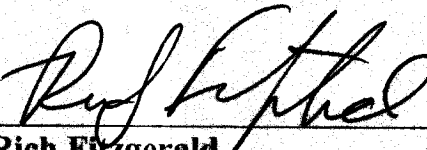
County Council deems it advisable and necessary to authorize the Public Works Department to sell excess RAP material to Montour Trail Council at mutually agreeable price(s) to be negotiated and accepted by the Department either for pick up by or delivery to Montour Trail Council from the Department's stockpile sites.

Section 3. Severability. If any provision of this Resolution shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Resolution which shall continue in full force and effect.

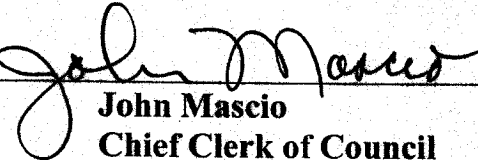
Section 4. Repealer. Any resolution or ordinance or any part thereof conflicting with the provisions of this Resolution is hereby repealed so far as the same affects this Resolution.

Enacted in Council, this 7th day of September, 2004.

Council Agenda No. 1602-84.

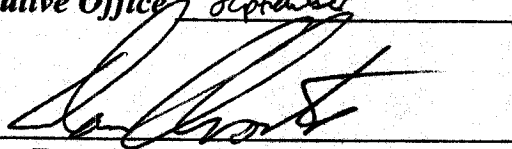


Rich Fitzgerald
President of Council

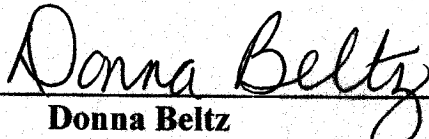
Attest: 

John Mascio
Chief Clerk of Council

Chief Executive Office, September, 2004.

Approved: 

Dan Onorato
Chief Executive

Attest: 

Donna Beltz
Executive's Secretary

**SUMMARY PAGE
DRAFT RESOLUTION TO AUTHORIZE SALE
OF COUNTY PROPERTY:
EXCESS RECLAIMED ASPHALT PAVEMENT MATERIAL
MONTOUR TRAIL PROJECT (Z191-79MR)
May 13, 2004**

The Montour Trail Council is developing the Montour Trail on former railroad corridors in Allegheny and Washington Counties. Montour Trail Council administers, develops, operates and maintains the trail over County-owned corridor under a Management Contract dated December 13, 1993. Conversely, Allegheny County provides Montour Trail Council materials and administrative services, when available, through a Public-Private Partnership Agreement, also dated December 13, 1993.

Montour Trail Council seeks to acquire Allegheny County owned excess reclaimed asphalt pavement material for developing the trail in Washington County. Approval by County Council is requested to sell such material for such a purpose to the Montour Trail Council at prices negotiated by the Department, as required by the Allegheny County Administrative Code.


MEMORANDUM
OFFICE OF THE COUNTY MANAGER

**Office of the Chief Clerk
Allegheny County Council**

JUN 10 2004

RECEIVED

TO: John Mascio
Chief Clerk

FROM: Kathleen K. McKenzie 
Deputy County Manager

DATE: June 10, 2004

RE: Proposed Resolution

Attached is a Proposed Resolution authorizing the Department of Public Works to sell excess recycled asphalt pavement material to the Montour Trail Council for the purpose of extending the County-owned Montour Trail into Washington County.

The Allegheny County Law Department has reviewed this legislation prior to submitting it to Council.

Please place this on the next agenda for County Council approval.

Thank you.