

No. 14-20-OR

AN ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the McCandless Township Sanitary Authority (MTSA) to install a sanitary sewer line in the County's North Park.

Whereas, Allegheny County acquired three parcels of land for North Park by the following deeds dated and recorded in Allegheny County Real Estate Department: 10/21/1977 in Deed Book Volume 5859, Page 262; 5/10/1931 in Deed Book Volume 2459, Page 221 and 10/17/1928 in Deed Book Volume 2381, Page 1 (Tract 1), designated by Allegheny County Assessment Department as tax parcel No. 946-A-187, located in Pine Township and the Town of McCandless; and

Whereas, MTSA is desirous of acquiring an easement encompassing 2.163 acres of County-owned real property to install approximately one (1) linear mile of underground line to transfer sanitary sewage flow from MTSA's A&B Treatment Plant service area to the Pine Creek Regional Treatment Facility (hereinafter referred to as "the Site"); and

Whereas, The County, by and through its Department of Parks, is requesting the use of County-owned real property in the County's North Park for installation of a sanitary sewer transfer line by MTSA.

Whereas, County Council believes that permitting this project constitutes a valid public purpose serves the interests of the residents of the County of Allegheny, and

Whereas, Article IV, Section 2(k) of the Allegheny County Home Rule Charter vests County Council with the power and duty by ordinance to lease or permit the use of County real property.

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 Ordinance are incorporated by reference as set forth in their entirety herein.

SECTION 2. Grant of Easement.

- A. Allegheny County Council hereby grants an easement to the McCandless Township Sanitary Authority (MTSA) for installation of a sanitary sewer line in the County's North Park for the

consideration of \$23,664.00 – the cost incurred by MTSA for connection/tapping fees waived by it, as well as two sanitary sewer laterals to connect new bathroom facilities at the North Park Boathouse and North Park Pool playground. This consideration exceeds the \$19,720.00 appraised value of the easement being granted to MTSA.

- B. The term of this authorization begins upon approval by County Council and shall continue so long as the Site is utilized for sanitary sewage flow.
- C. The proper officers of the County are hereby authorized to execute any and all documents necessary to effectuate the authorization granted by this legislation.

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


SECTION 4. Repealer. Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.

Enacted in Council, this 21st day of April, 2020

Council Agenda No. 11466-20



Patrick Catena
President of Council

Attest: 

Jared Barker
Chief Clerk of Council

Chief Executive Office April 22, 2020

Approved: 

Rich Fitzgerald
Chief Executive

Attest: 

Jennifer M. Liptak
Chief of Staff

SUMMARY OF LEGISLATION

The attached legislation would grant the McCandless Township Sanitary Authority (MTSA) an easement on 2.163 acres of Allegheny County-owned real property in the County's North Park to install an underground line for transfer of sanitary sewage flow. The consideration for the grant of the easement is \$23,664.00 – the cost incurred by MTSA for connection/tapping fees waived by it, as well as two sanitary sewer laterals to connect new bathroom facilities at the North Park Boathouse and North Park Pool playground. This consideration exceeds the \$19,720.00 appraised value of the easement being granted to MTSA. The authorization begins on the date that this legislation is enacted by Council and shall continue so long as the site is utilized for sanitary sewage flow. The appropriate County officers and officials would be authorized to take such action as would be necessary to carry out the purposes of the authorization granted in the legislation.

MEMORANDUM
OFFICE OF THE COUNTY MANAGER

TO: Jared E. Barker
Allegheny County Council

FROM: William D. McKain CPA
County Manager

DATE: April 2, 2020

RE: Proposed Ordinance

Attached is an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the McCandless Township Sanitary Authority (MTSA) to install a sanitary sewer line in the County's North Park.

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

I am requesting that this item be placed on the agenda at the next Regular Meeting of Council.

2020 APR -2 AM 10:49
OFFICE OF THE
COUNTY MANAGER