

# Allegheny County Council

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



## Agenda Synopsis

**Tuesday, September 8, 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](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 Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald

**V. Proclamations/Certificates**

**5090-09** Proclamation honoring the 25th anniversary of Allegheny County Labor Council's Labor Day Parade.

**Presented**

**5091-09** Proclamation honoring the 160th anniversary of the First Congregational Church of Etna.

**Read**

**5092-09** Certificates of Achievement congratulating Elizabeth Laman and Hannah McKeel for winning the Jefferson Regional Community Poster Contest.

**Read**

**5093-09** Proclamation celebrating Borough of Whitehall's Community Day.

**Read**

**5094-09** Proclamation honoring Mr. Thomas Timcho for his outstanding managerial skills and for receiving a Diamond Award from the Pittsburgh Business Times.

**Read**

**5095-09** Proclamation recognizing the 10th anniversary of HCR ManorCare Health Services.

**Read**

**5096-09** Certificate of Recognition commemorating Sister Thomas Joseph Gaines' 25 years of service to the McKeesport Kane Regional Center.

**Read**

**5097-09** Certificate of Recognition honoring the 50th wedding anniversary of John and Thelma Decolati.

**Read**

**5098-09** Certificate of Recognition honoring the 50th wedding anniversary of Donald and Elizabeth Sivak.

**Read**

**5099-09** Certificate of Recognition honoring the 60th wedding anniversary of Vince and Mary Cieslewicz.

**Read**

**5100-09** Certificate of Recognition honoring the 60th wedding anniversary of John and Bernice Palmiero.

**Read**

**5101-09** Proclamation commemorating the 75th anniversary of the Borough of Churchill.

**Read**

**5102-09** Proclamation commemorating the 50th anniversary of Harvey Haddix's outstanding pitching performance for the Pittsburgh Pirates.

**Read**

**5103-09** Proclamation honoring Arnold Palmer on the occasion of his 80th birthday.

**Read**

**5104-09** Certificate of Recognition honoring the opening of Borough of Homestead's new municipal building.

**Read**

**VI. Public Comment On Agenda Items****VII. Approval of Minutes**

**5089-09** Motion to approve the Minutes of the Regular Meeting of Allegheny County Council held on August 18, 2009.

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

**VIII. Presentation of Appointments**

**5083-09** Approving the appointment of Timothy J. Moury to serve as a Member of the Accountability, Conduct and Ethics Commission for a term to expire on December 3, 2011.

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

**5084-09** Approving the appointment of Edward Kress to serve as a Member of the Accountability, Conduct and Ethics Commission for a term to expire on December 3, 2012.

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

**5085-09** Approving the reappointment of Ronald Stone to serve as a Member of the Accountability, Conduct and Ethics Commission for a term to expire on December 3, 2013.

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

**IX. Unfinished Business****Committee on Budget and Finance - Second Reading**

**5062-09** A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2009 (Submission #13-09).

**A motion was made that this matter be Passed for Chief Executive Signature. The motion carried by the following vote:**

**Votes:** Yes: 15 - 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 Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald

**5063-09** A Resolution of the County of Allegheny amending the 2009 Capital Budget for Allegheny County.

**A motion was made that this matter be Passed for Chief Executive Signature. The motion carried by the following vote:**

**Votes:** Yes: 15 - 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 Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald

**5073-09** A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2009 (Submission #14-09).

**A motion was made that this matter be Passed for Chief Executive Signature. The motion carried by the following vote:**

**Votes:** Yes: 15 - 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 Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald

### **Committee on Government Reform - Second Reading**

**4963-09** A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, establishing that the Allegheny County Medical Examiner's primary laboratory facility shall henceforth be referred to as the "Cyril H. Wecht Institute of Forensic Science."

**A motion was made that this matter be Passed for Chief Executive Signature. The motion carried by the following vote:**

**Votes:** Yes: 15 - 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 Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald

**Committee on Public Works - Second Reading**

**5058-09** An Ordinance authorizing the County of Allegheny to sell a 0.787± 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 \$67,999.00, upon approval by Pennsylvania Department of Transportation.

**A motion was made that this matter be Passed for Chief Executive Signature. The motion carried by the following vote:**

**Votes:** Yes: 15 - 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 Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald

**5059-09** An Ordinance authorizing the County of Allegheny to clear the right-of-way for, and to acquire by condemnation, Parcel 2 of W.C.S.R., Inc., for construction of the McKeesport South Flyover Bridge, and to take such further action as may be necessary under applicable law, including the Eminent Domain Code.

**A motion was made that this matter be Passed for Chief Executive Signature. The motion carried by the following vote:**

**Votes:** Yes: 15 - 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 Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald

**X. Liaison Reports****XI. New Business - Ordinances & Resolutions**

**5086-09** An Ordinance approving the sale of certain real property owned by the County of Allegheny, Pennsylvania to a development group comprised of: Massaro Properties LLC; Langholz Wilson Ellis, Inc.; Kratsa Properties; and Tasso Katselas Associates, Inc. for the sale price of \$4,900,000.00 for the purpose of demolishing the current building located thereon and constructing a new development including a hotel, office building, and parking garage.

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

**5087-09** An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania authorizing the use of County owed real property for the purpose of placing wireless antennae on County owned property for the purpose of constructing a countywide broadband interoperable wireless communications network.

**Referred to the Committee on Public Works**

**5088-09** A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2009 (Submission #15-09).

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

**5107-09** Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Administrative Code of Allegheny County, Article 801, entitled "Comprehensive Fiscal Plan," §801.10, entitled "Control and monitoring of expenditures," in order to provide a mechanism for treating certain unbudgeted expenditures.

*This bill was not on the original agenda. Council approved a Motion to place it on the agenda.*

**Referred to the Committee on Government Reform**

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

**5105-09** Motion of the Council of Allegheny County pulling Bill No. 4724-09, amending and supplementing the Allegheny County Code of Ordinances, through the creation of a new Chapter 491, entitled "Investment Policy," in order to provide for divestiture of certain County investments in companies doing business with state sponsors of terrorism, from committee for an immediate final vote.

*Withdrawn at the request of the sponsor*

**Withdrawn**

**5106-09** Motion of the Council of Allegheny County pulling Bill No. 4725-09, amending and supplementing the Allegheny County Code of Ordinances, through the creation of a new Chapter 492, entitled "Contract Policy," in order to establish a County policy for contracting with companies doing business with state sponsors of terrorism, from committee for an immediate final vote.

*Withdrawn at the request of the sponsor*

**Withdrawn**

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

## **XIV. Adjournment**