

# **Allegheny County Council**

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



## **Agenda Synopsis**

**Tuesday, October 23, 2007**

**5:00 PM**

**\*\*\*Original Agenda Revised on 10-22-07\*\*\***

**Regular Meeting, Fourth Floor, Gold Room**

## **County Council**

*Rich Fitzgerald, President; Chuck Martoni, Vice-President; Jim Burn, Susan Caldwell, Joan Cleary, John DeFazio, Matt Drozd, Dave Fawcett, Mike Finnerty, Brenda Frazier, Vince Gastgeb, William E. Lestitian, Bob Macey, 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 Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: Council Member Fawcett and Council Member Lestitian

**V. Proclamations/Certificates**

**3483-07** Proclamation congratulating Lawrenceville United for earning the 2007 MetLife Foundation Community-Police Partnership Award.

**Presented**

**3484-07** Proclamation proclaiming the month of October 2007 “Fire Prevention Month” in Allegheny County.

**Presented**

**3485-07** Proclamation proclaiming the month of October 2007 “Breast Cancer Awareness Month” in Allegheny County.

**Presented**

**3486-07** Certificate of Recognition awarded to Philip W. Purpura upon the momentous occasion of his 106th Birthday Celebration.

*Will be re introduced at a later date*

**Withdrawn**

**3499-07** Certificate of Recognition awarded to Pastor George Mendis of Christ Lutheran Church in Millvale, Pennsylvania upon the momentous occasion of the 30th Anniversary of his ordination.

**Presented**

**3487-07** Proclamation proclaiming the month of October 2007 “Credit Union Month” in Allegheny County.

**Read**

**3488-07** Certificate of Recognition honoring Penn State Greater Allegheny upon reaching several significant milestones including a new name, the 50th anniversary at their

location, and the 25th anniversary of the Alumni Society.

**Read**

**3489-07**

Certificate of Recognition awarded to Matilda Belan upon the momentous occasion of her 100th Birthday Celebration.

**Read**

**3490-07**

Certificate of Recognition awarded to Mary Lou and Joe Falce in honor of their 60th Wedding Anniversary.

**Read**

**3491-07**

Certificate of Recognition awarded to Harold Greene for his exceptional volunteer work for the Plum Senior Center.

**Read**

**3492-07**

Proclamation thanking the Verona Village Inn for opting to establish a smoke-free environment for their customers and employees.

**Read**

**3493-07**

Certificate of Achievement awarded to South Fayette Middle School for earning 1st Place in Allegheny County's 16th annual Excellence in Food Protection Awards.

**Read**

**3494-07**

Certificate of Recognition awarded to the Bethel Park Volunteer Fire Company, Station No. 110, upon the momentous occasion of their 80th Anniversary Celebration

**Read**

**3495-07**

Certificate of Recognition awarded to St. Basil Church in Carrick, Pennsylvania in honor of their 100th Anniversary Celebration.

**Read**

**3496-07**

Certificate of Achievement awarded to Brian D. Toth upon earning the rank of Eagle Scout, scouting's most distinguished honor.

**Read**

**3497-07**

Certificate of Achievement awarded to James D. Hankins for earning the rank of Eagle Scout, scouting's highest honor.

**Read**

**3498-07**

Certificate of Achievement awarded to Shawn Michael Hess for earning the rank of Eagle Scout, scouting's top honor.

Read

## VI. Public Comment On Agenda Items

## VII. Presentation of Appointments

- [3481-07](#)      Communication from Chief Executive Dan Onorato submitting his recommendation of Lisa Thorpe-Vaugh to serve as a Member of the Juvenile Detention Board of Advisors for a term to expire on December 31, 2009  
Referred to the Committee on Appointment Review

## VIII. Unfinished Business

### Committee on Budget and Finance - Second Reading

- [3449-07](#)      A Resolution of the County of Allegheny amending the 2007 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: 13 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 2 - Council Member Fawcett and Council Member Lestitian

- [3450-07](#)      A Resolution of the County of Allegheny approving certain Inter-Departmental Transfers in the Operating Budget for the fiscal year beginning January 1, 2007 and ending December 31, 2007.

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

**Votes:** Yes: 13 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 2 - Council Member Fawcett and Council Member Lestitian

- [3451-07](#)      A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2007 (Submission #14-07).

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

**Votes:** Yes: 13 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 2 - Council Member Fawcett and Council Member Lestitian

### Committee on Parks - Second Reading

**3009-07**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Ordinance No. 07-06, the existing schedule of facility and recreational rates and fees for the use of County recreational and park facilities.

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

**Votes:** Yes: 13 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 2 - Council Member Fawcett and Council Member Lestitian

**3447-07**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing Quantum Theatre the use of Hartwood Stables Complex in Hartwood Park to conduct a play.

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

**Votes:** Yes: 13 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 2 - Council Member Fawcett and Council Member Lestitian

**Committee on Economic Development & Housing - Second Reading****3452-07**

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 Revenue Bonds (UPMC) Series 2007 to be issued in aggregate principal amount not in excess of \$120,000,000, provided that the taxing power of the County of Allegheny, Pennsylvania, shall not be obligated in any way with respect to the Bonds, and determining that the purpose of the financing will be to benefit the health and welfare of the citizens of Allegheny County, Pennsylvania, and constituting the elected official approval required by Section 147 of the Internal Revenue Code of 1986, as amended.

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

**Votes:** Yes: 13 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 2 - Council Member Fawcett and Council Member Lestitian

**Committee on Public Works - Second Reading****3037-07**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances to include a new Chapter 271, entitled "Allegheny County Utility Infrastructure Web

Site."

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

**Votes:** Yes: 13 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 2 - Council Member Fawcett and Council Member Lestitian

### 3315-07

An Ordinance authorizing the County of Allegheny to clear the right-of-way for reconstruction of Scotia Run Bridge No. 1, Project No. XC01-0403, in the Borough of Jefferson Hills, and to acquire by condemnation certain parcels of land for this project, and to take such further action as may be necessary under applicable law, including the Eminent Domain Code of 1964, as amended.

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

**Votes:** Yes: 13 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 2 - Council Member Fawcett and Council Member Lestitian

### 3422-07

An Ordinance authorizing the County of Allegheny (the "County") to acquire an aerial easement for and accept ownership of, the bridge structure and abutments of the McKeesport Flyover Ramp which is to be constructed between Lysle Boulevard and Industry Drive in the City of McKeesport (the "City").

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

**Votes:** Yes: 13 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 2 - Council Member Fawcett and Council Member Lestitian

## **Special Committee on Administrative Services - Second Reading**

### 3420-07

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania authorizing acceptance by the County of Allegheny of a donation from Crawford County Solid Waste Authority of ten (10) V-Quip Recycling to be used for municipal recycling purposes during the containers' useful life

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

**Votes:** Yes: 13 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 2 - Council Member Fawcett and Council Member Lestitian

### 3421-07

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania,

authorizing the transfer of Ownership of certain historic artifacts associated with President Abraham Lincoln.

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

**Votes:** Yes: 9 - Council Member Burn, Council Member Cleary, Council Member DeFazio, Council Member Finnerty, Council Member Frazier, Council Member Macey, Council Member Martoni, Council Member Robinson and President Fitzgerald  
Noes: 4 - Council Member Caldwell, Council Member Drozd, Council Member Gastgeb and Council Member Rea  
Absent: 2 - Council Member Fawcett and Council Member Lestitian

### 3423-07

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania authorizing acceptance of a donation from Carnegie Mellon University of a 2000 Roughneck 1655TN console (16' all welded aluminum boat) including two engines, a 2000 Yacht Club 1715 Trailer and miscellaneous accessories to be used by the Allegheny County Health Department for use in carrying out its mandated duties under the Local Health Administration Law and other applicable statutes

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

**Votes:** Yes: 13 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 2 - Council Member Fawcett and Council Member Lestitian

### 3424-07

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing acceptance of 224 grave sites at Restland Memorial Park in Monroeville for use by veterans of Allegheny County.

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

**Votes:** Yes: 13 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 2 - Council Member Fawcett and Council Member Lestitian

### 3281-07

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, Division 2, entitled "County Government Operations," by the addition of a new Chapter 275, entitled "Residence Requirements; Registered Sex Offenders," in order to augment the provisions of Pennsylvania's Megan's Law and better provide for the safety of the County's residents.

*This bill was not on the original agenda. A Motion was approved to pull the bill from committee.*

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

**Votes:** Yes: 13 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 2 - Council Member Fawcett and Council Member Lestitian

## **IX. Liaison Reports**

## **X. New Business - Ordinances & Resolutions**

**3478-07** An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending § 5-207.07 (F) of the Administrative Code to redefine the duties of the Board of Property Assessment Appeals and Review by eliminating the ability to access property assessment data by owner name; and amending Ordinance No. 58-03-OR to render it consistent with the amended Administrative Code.

**Referred to the Special Committee on Property Assessments**

**3501-07** An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Section 4 of Ordinance 03-07-OR, in order to provide for an extension of the terms of appointees to the Allegheny County Citizens' Election System Advisory Panel.

**Referred to the Special Committee on Government Reform**

**3502-07** An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, Article 801 of Division 1, entitled "Comprehensive Fiscal Plan," in order to establish a mechanism for the enactment of a continuing spending resolution in the event that a balanced budget cannot be passed more than 25 days from the end of the current fiscal year.

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

**3503-07** An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Allegheny County Code of Ordinances, Part 12 of Division 1, entitled "Government Review," Article 1204, entitled "Diversity Review," in order to clarify the applicability of diversity review procedures to entities undergoing merger or consolidation.

**Referred to the Special Committee on Government Reform**

**3504-07** An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, Article 210 of Division 1, entitled "Assessment Standards and Practices," in order to establish a County policy for periodically reviewing the status of all properties qualifying for exemption from property taxation under the Institutions of Purely Public Charity Act.

**Referred to the Special Committee on Property Assessments**



**3479-07**

A Resolution of the County of Allegheny amending the Operating Budget for 2007.

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

**3480-07**

A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2007 (Submission #15-07).

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

**3505-07**

A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, urging the Allegheny County Retirement Board and Pennsylvania General Assembly to divest the County's and Commonwealth's pension funds from any companies whose business activities support or enable the Darfur genocide.

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

**3507-07**

A Resolution of the County of Allegheny amending the Operating Budget for 2007.

*This bill was not on the original agenda. A Motion was approved to place the bill on the agenda and a subsequent Motion was approved to waive the second reading of the bill.*

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

**Votes:** Yes: 12 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Noes: 1 - Council Member Drozd  
Absent: 2 - Council Member Fawcett and Council Member Lestitian

**XI. New Business - Motions****3506-07**

Motion of the Council of Allegheny County amending Rules of Council for Allegheny County Council.

**Referred to the Executive Committee**

**XII. Public Comment on General Items****XIII. Adjournment**