

Allegheny County Council

*County of Allegheny
436 Grant Street
Pittsburgh, PA 15219
Phone (412) 350-6490*



Meeting Minutes - Approved

Wednesday, November 5, 2014

4:00 PM

Conference Room I

Committee on Health & Human Services

*John Palmiere, Chair; Thomas Baker, James Ellenbogen, Nick Futules, Ed Kress,
Robert Macey, Sue Means, William Robinson*

I. Call to Order

The meeting was called to order at 4PM.

Invited Guests:

Karen Hacker, MD, MPH-Director, Department of Health or Designee
Jim Thompson, Deputy Director of Environmental Health
Donna Scharding, Food Safety Program Manager
William D. McKain, CPA-County Manager or Designee

Ms. Heidelbaugh was present as a non-committee member.

II. Roll Call

Members Present: 4 - Nick Futules, Bob Macey, Sue Means and John Palmiere

Members Absent: 3 - Tom Baker, Jim Ellenbogen and William Robinson

III. Approval of Minutes

[8583-14](#)

Motion to approve the minutes of the Health and Human Services
Committee meeting of Allegheny County Council held on October 29, 2014
Passed

IV. Agenda Items

Ordinances

[8524-14](#)

An Ordinance of the Council of the County of Allegheny ratifying
amendments to Allegheny County Health Department Rules and
Regulations, for purposes of establishing a Food Safety Fund, pursuant to
Section 12011 of the Local Health Administration Law, 16 P.S. §12001 et
seq.

Sponsors: Chief Executive

The Clerk read the title into the record and the Chair asked Mr. Thompson to review its provisions.

Mr. Thompson stated that fees collected currently are deposited in the Environmental Safety Fund. Non-compliance funds will be diverted into the Food Safety Fund if the ordinance passes.

Mr. Finnerty inquired as to the use of the funds in the Environmental Safety Fund and if they could be used for restaurant safety purposes. Mr. Thompson stated that currently the funds cannot be used for the purposes of hiring inspectors or the proposed uses in the ordinance.

Ms. Means inquired about the administrative cost to set up the Food Safety Fund. Mr. Thompson stated that the cost would be minimal.

Ms. Heidelbaugh inquired if money would be transferred from the Env. Fund to the Food

Safety Fund. Mr. Thompson replied in the negative.

Affirmatively Recommended

Enactment No: 25-14-OR

[8525-14](#)

An Ordinance of the Council of the County of Allegheny ratifying amendments to Allegheny County Health Department Rules and Regulations, for purposes of establishing a Food Grading System, pursuant to Section 12011 of the Local Health Administration Law, 16 P.S. §12001 et seq.

Sponsors: Chief Executive

The Chair read a memorandum from the County Solicitor into the record regarding the proposed Restaurant Grading ordinance and his intention to not withdraw the legislation.

The Chair indicated that that there would be a more complete discussion on the matter in the future including public hearings.

Dr. Hacker stated her availability to every Council Member to discuss their concerns with the Grading Proposal.

The Chair asked Mr. McKain to approach the table to clarify the issue with the 30 day window for Council Consideration.

Ms. Means stated her concern with the current communication from Mr. Szefi was at odds with his assurance that the bill would be withdrawn and then reintroduced.

Mr. McKain stated that the administration would not withdraw the bill.

Ms. Means stated that Council was required to consider the bill and make a decision within 30 days.

The Chair stated that he was given assurances by the administration and the County Solicitor that the committee could consider the legislation at his leisure without issue.

Mr. Finnerty inquired about the concerns that Dr. Hacker was aware of by particular Council Members regarding restaurant grading. Mr. Thompson relayed certain concerns with the grading system that purportedly it would not in fact increase food safety and that there was not uniformity in inspections.

Dr. Hacker also stated her opposition to the proposition this system would hurt small businesses.

Ms. Heidelbaugh inquired if the Board directly reported to Ms. Hacker and clarified that the Board of Health is appointed by Fitzgerald. Ms. Heidelbaugh asked if the Board approved this proposal; if the Board and Dr. Hacker met with the community of restaurateurs in creating this proposal.

Ms. Heidelbaugh stated her concern that a number of non-severe violations could result in a B grade and that could be devastating for particular businesses.

Dr. Hacker stated that there was an alternate system dealing with "low risk" category violations and that you could have up to three of those violations without a major point

impact.

Dr. Hacker stated that during the first round of inspection there would be no grade posted. Then there would be a 14 day window for remedial action for a reinspection.

Dr. Hacker offered to show the Council Members the results that came out of their pilot phase.

A discussion was had on the possibility of amending the proposed regulation.

Held in Committee

[8526-14](#)

An Ordinance of the Council of the County of Allegheny ratifying amendments to Allegheny County Health Department Rules and Regulations, for purposes of bringing the County Regulations into conformity with the State and Federal Food Codes, pursuant to Section 12011 of the Local Health Administration Law, 16 P.S. §12001 et seq.

Sponsors: Chief Executive

Mr. Thompson clarified that the Allegheny Health Code Regulations must be in conformity with State and Federal regulations. These proposed changes are pursuant to this goal.

Mr. Baker inquired about the practicality of the "no bare hands" rule. Ms. Scharding replied that this was for a particular type of food handling and that the restaurant industry in the remainder of the country has been complying with this rule since 2005.

Mr. Macey inquired about the temperature change proposal.

Ms. Heidelbaugh inquired if there was any opposition with food organizations on the two proposals. Mr. Thompson stated that for bills 8524 and 8526 there was not.

Affirmatively Recommended

Enactment No: 26-14-OR

V. Adjournment

The meeting was adjourned at 4:40 PM.