

# Allegheny County Council

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



## Meeting Minutes

**Wednesday, June 29, 2016**

**5:00 PM**

**Conference Room 1**

## **Committee on Public Safety**

*Jim Ellenbogen, Chair; Thomas Baker, John DeFazio, Samuel DeMarco, Michael Finnerty, Nick Futules, Paul Klein, Ed Kress, Bob Macey, Denise Ranalli-Russell and DeWitt Walton - Members*

## I. Call to Order

*The meeting was called to order at 5:01.*

### Invited Guests:

**William D. McKain, CPA, Allegheny County Manager or Designee(s)**  
**William Mullen, Allegheny County Sheriff**  
**Coleman McDonough, Superintendent, Allegheny County Police**  
**Matthew Porter, Chief, Port Authority of Allegheny County Police**

*Mr. McKain and Mr. Pilarski were present from the Office of the County Manager.*

## II. Roll Call

**Members Present:** 8 - Ellenbogen, Tom Baker, Sam DeMarco, Michael Finnerty, Nick Futules, Paul Klein, Ed Kress and DeWitt Walton

**Members Absent:** 2 - John DeFazio and Denise Ranalli-Russell

**Members Phone:** 1 - Bob Macey

**Members** 2 - Sue Means and Chuck Martoni

**Non-Members:**

## III. Approval of Minutes

[9715-16](#)

Motion to approve the minutes of the December 9, 2015 meeting of the Committee on Public Safety.

## IV. Agenda Items

### Ordinances

[9711-16](#)

An Ordinance of the County of Allegheny authorizing the County to enter into an intergovernmental cooperation agreement with Wilmerding Borough under which the County will provide basic police and law enforcement services to the Borough.

**Sponsors:** Chief Executive

*At the request of the Chair, the clerk read the title of the bill.*

*In response to a question from the Chair, Mr. McKain indicated that, if the County Police ultimately develop a presence in Wilmerding, the Sheriff would be welcome to use them when and if necessary.*

*Mr. McKain noted that the Borough of Wilmerding had disbanded their police force in 1999 and, since then, had contracted with North Versailles to provide basic police services, but that North Versailles had ended that relationship and Wilmerding had not been able to identify a successor. Mr. McKain noted that it appears to be feasible for the County Police to undertake this function based upon an evaluation of the volume and types of calls that they have received. Mr. McKain noted that the County Police already undertake about 2,200 investigations per year for the various municipalities located within Allegheny County, and that the same facility would become home to the County's impact*

squad. Mr. McKain noted that the Borough has already approved the agreement.

Superintendent McDonough noted that there would be some logistical issues to resolve, but that the proposed partnership should allow officers to gain investigative experience.

In response to a question from the Chair, Mr. McKain noted that the Borough paid North Versailles \$246,000 for police services last year, and would pay the County \$250,000 next year, and that this would fall roughly \$70,000 short of the County's actual cost.

In response to a question from the Chair, Mr. McKain indicated that he has full confidence in the County Police's ability to effectively provide police services in the Borough.

In response to questions from Mr. Futules, Mr. McKain indicated that the population of the Borough is about 2,200 and Superintendent McDonough indicated that the current plan is to have at least one officer on duty in the Borough at all times, but that this could be adjusted based on need.

In response to a question from Mr. DeMarco, Mr. McKain noted that the County has not had similar conversations with other municipalities.

In response to a question from Mr. DeMarco, Mr. McKain acknowledged that other municipalities in the County may be in similar economic circumstances, but that one of the factors that were considered was the Borough not having had its own police force since 1999, as was the desire to have an impact squad presence in the Mon Valley.

Mr. DeMarco expressed concerns about having officers from multiple municipalities involved in activities in the Borough, and Superintendent McDonough discussed the potential impacts of mutual aid, and that the number of officers would be adjusted as necessary to ensure safety. Mr. DeMarco noted that more officers will presumably result in a greater County subsidy, and expressed concerns about providing aid to Wilmerding that the County may not be able to provide to other municipalities going forward.

In response to questions from Mr. Kress, Mr. McKain provided additional detail regarding the compensation to be paid to the County by the Borough, and noted that he is not immediately aware of any grants or other funding sources that may also be available.

In response to a question from Mr. Kress, Sheriff Mullen indicated that Sheriff's deputies will be available to assist the County Police to the extent that they are in the area.

Mr. Klein indicated that his understanding is that about 15 municipalities within the County are dependent upon other municipalities for police services, and Ms. Smith noted that the Borough had discussed policing options with the State Police, but that response times were of concern to the Borough because the State Police would not have been able to station an officer in the Borough. Superintendent McDonough noted that the majority of municipalities throughout the Commonwealth that rely on the State Police are rural and comparatively sparsely populated, and response times tend to be an issue.

Mr. Walton expressed a belief that this is an opportunity to improve the quality of life in the Borough.

In response to a question from Ms. Means, Mr. McKain noted that he had undertaken the cost estimates and that he incorporated the use of existing officers in reaching his estimate.

*Ms. Means expressed concerns that it will be very difficult to authorize this action for Wilmerding, then refuse to do so for other municipalities if and when they make the same request, and that this could become an expensive proposition.*

*Ms. Means indicated that she is nervous about the contract term, and would be more comfortable if the contract term is two years rather than five with an option to extend for up to five additional years. Mr. McKain expressed his personal comfort with a five year term.*

*Ms. Means noted that she is reluctant to subsidize the Borough's activities with revenues derived from County taxpayers.*

*Mr. Finnerty noted that his belief is that the public safety consideration is paramount, and more important from his perspective than any potential revenue shortfall.*

*Mr. DeMarco noted that he does agree that public safety is important, but that he also has concerns about the County subsidizing a municipality that appears to be unable to provide even basic public services, and that doing so may set a fairly dangerous precedent.*

*Ms. Means indicated that she would prefer to see this revenue go to economic development activities in an effort to improve the Borough's ability to fund its own activities, including hiring community police officers who are invested in the Borough. Superintendent McDonough indicated that the workload will not keep the officer(s) stationed in the Borough busy 24 hours a day, 7 days a week, and that they will be encouraged to undertake other activities within the community when not responding to calls.*

*Mr. Walton reiterated his belief that the Borough's lack of resources establishes an obligation for the County to meet this public safety need.*

*Ms. Means noted that she believes that it is unfair for residents of other communities to pay the full cost of their law enforcement activities, while the Borough pays less than the full cost with the equivalent of a County subsidy.*

*Mr. Futules suggested that there may be merit in establishing consistent guidelines for considering providing police services to other communities going forward.*

*Mr. Martoni and Mr. Finnerty emphasized that the Borough will be paying \$250,000 per year, and there is no way of predicting what the County's actual cost will be, but that other communities who wish to have the County Police provide law enforcement services should also pay their share.*

*Mr. Walton moved to vote on the previous question and Mr. Finnerty seconded. The motion failed by a vote of 3-5, with Mr. Finnerty, Mr. Klein and Mr. Walton voting in favor, and Mr. Baker, Mr. DeMarco, Mr. Futules, Mr. Kress and the Chair voting against.*

*In response to questions from Mr. Kress, Superintendent McDonough described the County Police's impact squad and discussed the importance of effective policing for economic development and other civic activities.*

*In response to a question from Mr. Kress, Superintendent McDonough noted that North Versailles received between 6 and 10 police calls from the Borough each day.*

*Mr. Kress and Sheriff Mullen discussed the potential for the Office of the Sheriff to aid in the County Police's activities and share facilities.*

*The Chair expressed appreciation for everyone's input, and indicated that he agrees with Mr. Walton's assertion that there is an ethical and moral obligation to provide assistance when necessary within the public safety context.*

*The Chair and Mr. McKain discussed potentially appropriate responses when and if other municipalities make similar requests.*

**A motion was made by Futules, seconded by Walton, that this matter be Affirmatively Recommended. The motion carried by the following vote:**

**Members Yes:** 8 - Ellenbogen, Baker, DeMarco , Finnerty, Futules, Klein, Kress and Walton

**Members Absent:** 2 - DeFazio and Ranalli-Russell

**Members Phone:** 1 - Macey

**Members** 2 - Means and Martoni

**Non-Member:**

**Discussion Topics:**

- **Animal Control Contingency Planning**
- **K9 Officer Safety**

*At the request of the Chair, Mr. McKain, Sheriff Mullen, Mr. Kraus and Superintendent McDonough came to the table.*

*The Chair briefly summarized the events which resulted in the death of a deer within the City of Pittsburgh several days before, noting that tranquilizing the animal would have appeared to be more humane and efficient, and expressed a desire to have relevant law enforcement agencies cooperate in order to make this an option if needed in the future.*

*Sheriff Mullen indicated that the Office of the Sheriff would be more than willing to undertake those types of activities, so long as they are trained in how to do so. Superintendent McDonough noted that tranquilization was an option that he had seen employed in other situations in the past, but that he was not able to say definitively what capabilities might currently be in place to tranquilize an animal of that size.*

*Mr. DeMarco and the Chair clarified that the officers who ultimately shot the deer in question were City of Pittsburgh officers.*

*Mr. McKain reiterated the need for appropriate training and equipment, and suggested that this may constitute a logistical hurdle that would have to be resolved prior to either the Sheriff or County Police functioning in this fashion.*

*Mr. Finnerty noted that the Pennsylvania Game Commission undertakes these types of activities in communities within his district. The Chair noted that a call apparently was made to the Game Commission, but that it was not returned, which suggests to him that adequate staff may not have been available.*

*Mr. Walton indicated that he shares many of the Chair's concerns, and suggested that the Committee may be better advised to continue the discussion in a different forum. The Chair asked Mr. McKain to look into the feasibility of providing the necessary training and*

equipment.

*The Chair moved to the topic of K-9 officer safety, and noted that the Port Authority had expressed concerns about potential litigation stemming from recent events and had asked not to provide testimony.*

*Superintendent McDonough noted that the County Police currently have six K-9s, all of whom are currently assigned to Pittsburgh International Airport, and none of whom are involved in the type of enforcement activities that led to the recent death of the Port Authority K-9. Sheriff Mullen described the Sheriff's current K-9s, and summarized their activities and safety equipment.*

*The Chair expressed his belief that K-9s should be provided with equipment that gives them the best chance at survival, and asked that the County Sheriff and Police adopt policies geared toward this end.*

*Sheriff Mullen indicated that there is a protocol for K-9 activities, and that the protocol favors human life over the animal's life and that every effort would be made to avoid using deadly force against an involved human. The Chair agreed with this protocol, but indicated that his issue is with the safety measures that were in place to protect the K-9 within that protocol.*

## **V. Adjournment**

*The meeting was adjourned at 6:37.*