



Legislation Details (With Text)

File #: 2022-0104 **Version:** 1

Type: Resolution **Status:** Passed Finally

File created: 2/11/2022 **In control:** Committee on Public Works

On agenda: 5/25/2022 **Final action:** 5/31/2022

Enactment date: 5/31/2022 **Enactment #:** 254

Effective date: 5/31/2022

Title: Resolution authorizing the Mayor and the Director or Acting Director of the Department of Mobility and Infrastructure, on behalf of the City of Pittsburgh and through the City's Department of Law, to adopt certain settlement terms and enter into a settlement agreement with Norfolk Southern Railway, Manchester Citizens Corporation, Northside Leadership Conference, and Rail Pollution Protection Pittsburgh in order to resolve claims arising from the Application of Norfolk Southern Railway Company for approval to reconstruct the crossing of the North Avenue / Brighton Road bridge docketed at Public Utility Commission Docket No. A-2018-3006432; and from Northside Leadership Conference, et. al, v. Pennsylvania Public Utility Commission appeal docketed at No. 611 CD 2019 in the Commonwealth Court.
(Executive Session held 3-1-22)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2022-0104 Cover Letter-Sign_Settlement - NS - North Ave _ Brighton Road Letter_kal, 2. Summary 2022-0104

Date	Ver.	Action By	Action	Result
5/31/2022	1	Mayor	Signed by the Mayor	
5/31/2022	1	City Council	Passed Finally	Pass
5/25/2022	1	Standing Committees	Affirmatively Recommended	Pass
5/11/2022	1	Standing Committees	Held in Committee	Pass
4/27/2022	1	Standing Committees	Held in Committee	Pass
4/20/2022	1	Standing Committees	Held in Committee	Pass
3/30/2022	1	Standing Committees	Held in Committee	Pass
3/9/2022	1	Standing Committees	Held in Committee	Pass
3/2/2022	1	Standing Committees	Held in Committee	Pass
3/1/2022	1	Executive Session	Executive Session Held	
2/23/2022	1	Standing Committees	Held for Executive Session	Pass
2/15/2022	1	City Council	Read and referred	

Resolution authorizing the Mayor and the Director or Acting Director of the Department of Mobility and Infrastructure, on behalf of the City of Pittsburgh and through the City's Department of Law, to adopt certain settlement terms and enter into a settlement agreement with Norfolk Southern Railway, Manchester Citizens Corporation, Northside Leadership Conference, and Rail Pollution Protection Pittsburgh in order to resolve claims arising from the Application of Norfolk Southern Railway Company for approval to reconstruct the

crossing of the North Avenue / Brighton Road bridge docketed at Public Utility Commission Docket No. A-2018-3006432; and from Northside Leadership Conference, et. al, v. Pennsylvania Public Utility Commission appeal docketed at No. 611 CD 2019 in the Commonwealth Court.

(Executive Session held 3-1-22)

WHEREAS, the City has participated as an interested party in certain litigation pertaining to Norfolk Southern Railway Company's activities in and around the North Avenue / Brighton Road bridge; and

WHEREAS, the collective parties to the litigation engaged in non-binding mediation in order to reach a full settlement of all outstanding matters; and

WHEREAS, the City believes that adoption of the consensus reached through mediation is in the best interests of the City; and

WHEREAS, the City now wishes to adopt said terms and enter into a settlement agreement reflecting such negotiated terms.

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PITTSBURGH AS FOLLOWS:

Section 1: The Mayor and the Director or Acting Director of the Department of Mobility and Infrastructure, on behalf of the City of Pittsburgh and through the City's Department of Law, are authorized to adopt certain settlement terms and enter into a settlement agreement with Norfolk Southern Railway, Manchester Citizens Corporation, Northside Leadership Conference, and Rail Pollution Protection Pittsburgh in order to resolve claims arising from the Application of Norfolk Southern Railway Company for approval to reconstruct the crossing of the North Avenue / Brighton Road bridge docketed at Public Utility Commission Docket No. A-2018-3006432; and from Northside Leadership Conference, et. al, v. Pennsylvania Public Utility Commission docketed at No. 611 CD 2019 in the Commonwealth Court.

Section 2: The Mayor, the Director or Acting Director of the Department of Mobility and Infrastructure, and all other relevant signatories may execute the above-referenced settlement agreement in a form acceptable to the City Solicitor and Chief Legal Officer of the City of Pittsburgh.