

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

Dr. Charles J. Martoni	-	President, District 8
Nicholas Futules	-	Vice President, District 7
John P. DeFazio	-	Council-At-Large
Heather S. Heidelbaugh	-	Council-At-Large
Matt Drozd	-	District 1
Jan Rea	-	District 2
James R. Burn, Jr.	-	District 3
Michael J. Finnerty	-	District 4
Vince Gastgeb	-	District 5
John F. Palmiere	-	District 6
Robert J. Macey	-	District 9
William Russell Robinson	-	District 10
Barbara Daly Danko	-	District 11
James Ellenbogen	-	District 12
Amanda Green Hawkins	-	District 13

Allegheny County Courthouse  
Fourth Floor, Gold Room  
436 Grant Street  
Pittsburgh, Pennsylvania 15219

Tuesday, January 8, 2013 - 5:00 p.m.

SARGENT'S COURT REPORTING SERVICE, INC.  
429 Forbes Avenue, Suite 1300  
Pittsburgh, PA 15219  
(412) 232-3882 FAX (412) 471-8733

IN ATTENDANCE:

William McKain - County Manager  
Joseph Catanese - Director of Constituent Services  
Jared Barker - Director of Legislative Services  
Jack Cambest - County Solicitor

PRESIDENT MARTONI: The January 8th meeting of Allegheny County Council will come to order. Please rise for the Pledge of Allegiance, led by Councilperson Macey.

(Pledge of Allegiance.)

PRESIDENT MARTONI: Please remain standing for a moment of silent prayer or reflection.

(Moment of silent prayer or reflection.)

PRESIDENT MARTONI: Roll call.

MR. CATANESE: Mr. Burn?

(No response.)

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Here.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Present.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Here.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Here.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Here.

MR. CATANESE: Mr. Gastgeb?

(No response.)

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Present.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Here (via telephone).

MR. CATANESE: Mr. Macey?

MR. MACEY: Here.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Here.

MR. CATANESE: Ms. Rea?

(No response.)

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Present.

MR. CATANESE: Mr. Martoni, President?

PRESIDENT MARTONI: Here.

MR. CATANESE: Twelve (12) members currently present.

PRESIDENT MARTONI: Proclamations/  
Certificates. 7325-12.

MR. CATANESE: All the proclamations will be read into the record.

Proclamation honoring Colonel William H. Graham for his service as Commander of the U.S. Army Corps of Engineers, Pittsburgh District. Sponsored by Council Members Finnerty, Burn, DeFazio, Ellenbogen, Gastgeb, Green Hawkins, Macey, Martoni and Palmiere.

7326-12. Certificate of Recognition awarded to Ms. Lucille Morandini, upon the occasion of her 100th birthday. Sponsored by Councilman Burn.

7327-12. Certificate of Recognition honoring Mr. and Mrs. Dan and Louise Kochman, upon their 50th wedding anniversary. Sponsored by Councilman Macey.

MR. DROZD: Would you please add me to the Corps of Engineers.

PRESIDENT MARTONI: We have two people, Joe, that's --- three coming in, if you would put them down.

MR. CATANESE: Let the record show that Councilman Burn, Councilman Gastgeb and Councilwoman Rea are present.

PRESIDENT MARTONI: Thank you. Public Comment on Agenda Items.

MR. CATANESE: We have none.

PRESIDENT MARTONI: Approval of Minutes. We have 7328-12 --- maybe we can do all these, Joe, at once. Is that ---

MR. CATANESE: Yes, sir.

PRESIDENT MARTONI: --- 7329-12, 7330-12.

MR. CATANESE: Motion to approve the minutes of the regular meeting of Allegheny County Council, held on November 20th, 2012, December 4th, 2012 and December 18th, 2012.

MR. FUTULES: Motion to approve.

MR. DEFAZIO: Second.

PRESIDENT MARTONI: A motion and a second. Question? All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered. Presentation of Appointments. I don't think we have any.

MR. CATANESE: None --- yes, we do, under Unfinished Business.

PRESIDENT MARTONI: Oh, yeah. Okay. Yes. Committee on Appointment Review, Second Reading. 7306-12.

MR. CATANESE: Approving the appointment of Anthony R. Bridge to serve as a member of the Allegheny County Airport Authority, for a term to expire on December 31st, 2017. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. DeFazio.

MR. DEFAZIO: Yes. I'd like to make a motion for this approval.

MR. GASTGEB: Second.

PRESIDENT MARTONI: Moved in second. Question? All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered. 7313-12.

MR. CATANESE: Approving the appointment of Thomas E. Donatelli, to serve as a member of the Allegheny County Port Authority Board, for a term to expire on December 31st, 2014. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. DeFazio.

MR. DEFAZIO: Yes. I'd like to make a motion for this --- approval of this appointment.

MR. PALMIERE: Second.

PRESIDENT MARTONI: Moved in second. Question? All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered. 7315-12.

MR. CATANESE: Approving the appointment of Dr. Rex Crawley to serve as a member of the Community College of Allegheny County Board of Trustees, for a term to expire on December 31st, 2016. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. DeFazio.

MR. DEFAZIO: I'd like to make a motion for the approval of this appointment.

MR. PALMIERE: Second.

PRESIDENT MARTONI: Moved in second. Question? All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered. 7319-12.

MR. CATANESE: Approving the appointment of Jessica McCurdy to serve as a member of the Allegheny County Human Relations Commission, for a term to expire on December 31st, 2016. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. DeFazio.

MR. DEFAZIO: Yes. I'd like to make a motion for the approval of this appointment.

MS. GREEN HAWKINS: Second.

PRESIDENT MARTONI: Moved in second. Question?  
All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered. 7321-12.

MR. DEFAZIO: Let him read it first.

MR. CATANESE: Approving the appointment of Deno De Ciantis to serve as a member of the Allegheny County Conservation District, for a term to expire on December 31st, 2015. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Okay.

MR. DEFAZIO: Yes. I'd like to make a motion for the approval of this appointment.

MR. MACEY: Second.

PRESIDENT MARTONI: Moved in second. Question?  
All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered. 7237-12.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing acceptance of a donation of approximately a half acre of land located in the Township of Indiana, contiguous to the County's Hartwood Acres Park in the County of Allegheny. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. DeFazio.

MR. DEFAZIO: No, this is ---.

MR. FUTULES: It's Parks; that's me. That's okay. Do you want to do it, John?

MR. DEFAZIO: No.

MR. FUTULES: Back in December we held a committee meeting, and it was moved with an affirmative recommendation that we take the donation for the park. And I make a motion to approve.

MR. MACEY: Second.

PRESIDENT MARTONI: Moved in second. Question?  
All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ---.

MR. CATANESE: We're going to have to do a roll call.

PRESIDENT MARTONI: Roll call?

MR. CATANESE: Yeah.

PRESIDENT MARTONI: Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.  
MR. CATANESE: Ms. Danko?  
MS. DANKO: Aye.  
MR. CATANESE: Mr. DeFazio?  
MR. DEFAZIO: Yes.  
MR. CATANESE: Mr. Drozd?  
MR. DROZD: Aye.  
MR. CATANESE: Mr. Ellenbogen?  
MR. ELLENBOGEN: Aye.  
MR. CATANESE: Mr. Finnerty?  
MR. FINNERTY: Yes.  
MR. CATANESE: Mr. Futules?  
MR. FUTULES: Yes.  
MR. CATANESE: Mr. Gastgeb?  
MR. GASTGEB: Yes.  
MR. CATANESE: Ms. Green Hawkins?  
MS. GREEN HAWKINS: Aye.  
MR. CATANESE: Ms. Heidelbaugh?  
MS. HEIDELBAUGH: Yes.  
MR. CATANESE: Mr. Macey?  
MR. MACEY: Yes.  
MR. CATANESE: Mr. Palmiere?  
MR. PALMIERE: Yes.  
MR. CATANESE: Ms. Rea?  
MS. REA: Yes.  
MR. CATANESE: Mr. Robinson?  
MR. ROBINSON: Aye.  
MR. CATANESE: Mr. Martoni, President?  
PRESIDENT MARTONI: Yes.  
MR. CATANESE: Ayes, 15, noes, 0. The bill

passes.

PRESIDENT MARTONI: 7238-12.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the acceptance of approximately 2530.53 square feet of land located in the County's North Park, from the Montgomery Family PA Trust. Sponsored by the Chief Executive.

MR. FUTULES: This meeting was also held that day, and the committee also recommended that we accept this property for North Park. And I move for approval.

MR. FINNERTY: Second.

PRESIDENT MARTONI: Moved in second. Question?  
Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Danko?  
MS. DANKO: Aye.  
MR. CATANESE: Mr. DeFazio?  
MR. DEFAZIO: Yes.  
MR. CATANESE: Mr. Drozd?  
MR. DROZD: Aye.  
MR. CATANESE: Mr. Ellenbogen?  
MR. ELLENBOGEN: Aye.  
MR. CATANESE: Mr. Finnerty?  
MR. FINNERTY: Yes.  
MR. CATANESE: Mr. Futules?  
MR. FUTULES: Yes.  
MR. CATANESE: Mr. Gastgeb?  
MR. GASTGEB: Yes.  
MR. CATANESE: Ms. Green Hawkins?  
MS. GREEN HAWKINS: Aye.  
MR. CATANESE: Ms. Heidelbaugh?  
MS. HEIDELBAUGH: Yes.  
MR. CATANESE: Mr. Macey?  
MR. MACEY: Yes.  
MR. CATANESE: Mr. Palmiere?  
MR. PALMIERE: Yes.  
MR. CATANESE: Ms. Rea?  
MS. REA: Yes.  
MR. CATANESE: Mr. Robinson?  
MR. ROBINSON: Aye.  
MR. CATANESE: Mr. Martoni, President?  
PRESIDENT MARTONI: Yes.  
MR. CATANESE: Ayes, 15, noes, 0. The bill

passes.

PRESIDENT MARTONI: Liaison Reports. Are there any reports? Hearing none --- Mike, are you sure now?

MR. FINNERTY: Positive.

PRESIDENT MARTONI: That's what I said. New Business. Ordinances and Resolutions. 7331-12.

MR. CATANESE: Ordinance of the County of Allegheny supplementing the Administrative Code of Allegheny County, establishing the assessment appeal deadline for the 2013 tax year. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Government Reform Committee. 7332-12.

MR. CATANESE: A resolution approving a project for the benefit of Duquesne University of the Holy Spirit (the University), to be financed by the Allegheny County

Higher Education Building Authority, by the issuance of the Authority's tax-exempt bonds, to be issued in one or more series in the aggregate principal amount not in excess of \$17,100,000, as stated below, provided that the taxing power of the County of Allegheny, Pennsylvania, shall not be obligated in any way with respect to the Bonds (hereinafter defined), and determining that the purpose of the financing will be to benefit the health and welfare of the citizens of Allegheny County, Pennsylvania. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Economic Development and Housing Committee. 7333-12.

MR. CATANESE: A resolution approving a project for the benefit of Carnegie Mellon University, to be financed by the Allegheny County Higher Education Building Authority, by the issuance of Authority revenue bonds and/or notes, to be issued in aggregate principal amount not in excess of \$66,000,000, net of original discount and including original issue premium, plus transaction costs, capitalized interest and any required reserves, 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 the benefit of the health and welfare of the citizens of Allegheny County. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Economic Development Committee. 7334-12.

MR. CATANESE: A resolution amending the Articles of Incorporation of the Allegheny County Higher Education Building Authority (the Authority), to extend the term of the existence of the Authority to a date that is 50 years from the date of the approval of the Amendment to Articles of Incorporation, by the Secretary of the Commonwealth of Pennsylvania. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Economic Development Committee. 7335-12.

MR. CATANESE: A resolution of the County of Allegheny, amending the Grants and Special Accounts Budget for 2013 (Submission 01-13). Sponsored by the Chief Executive.

PRESIDENT MARTONI: Budget and Finance Committee. New Business, Motions. 7336-12.

MR. CATANESE: Motion of the Council of Allegheny County to continue the services of Attorney John F. Cambest, to provide legal advice, representation and consultation to the County Council. Sponsored by Councilman Futules.

PRESIDENT MARTONI: Mr. Futules.

MR. FUTULES: At this time, Jack Cambest will be reinstated as Solicitor here. Things have not changed, as far as the fees. They remain the same, as they have for years. And at this time, I would move for approval to reappoint him.

MR. DEFAZIO: Second.

PRESIDENT MARTONI: Moved in second. Question? Roll call. Wait, you have a question. I'm sorry.

MR. FINNERTY: I'd like to be added as a sponsor.

PRESIDENT MARTONI: Okay.

MR. PALMIERE: Mr. President?

PRESIDENT MARTONI: Yes.

MR. PALMIERE: Me, too; please.

MR. ELLENBOGEN: Question.

PRESIDENT MARTONI: Wait. We have more sponsors here. We have two up here. You got them, Joe?

MR. CATANESE: Yes.

PRESIDENT MARTONI: No, we got two. There's three here.

MR. ELLENBOGEN: Why don't we ask who don't want to be on it?

MR. CATANESE: Who don't want to be on it?

MR. ELLENBOGEN: Everybody loves Jack.

MR. CATANESE: Is there anybody that doesn't want to be on it?

PRESIDENT MARTONI: Well, that means everybody is a sponsor.

MR. ELLENBOGEN: There you go.

MS. DANKO: Is it a one-year contract?

PRESIDENT MARTONI: It's always that.

MR. ELLENBOGEN: Giving Joe a headache.

PRESIDENT MARTONI: Okay. Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. CATANESE: Mr. Drozd?  
MR. DROZD: Aye.  
MR. CATANESE: Mr. Ellenbogen?  
MR. ELLENBOGEN: Yes, sir.  
MR. CATANESE: Mr. Finnerty?  
MR. FINNERTY: Yes.  
MR. CATANESE: Mr. Futules?  
MR. FUTULES: Yes.  
MR. CATANESE: Mr. Gastgeb?  
MR. GASTGEB: Yes.  
MR. CATANESE: Ms. Green Hawkins?  
MS. GREEN HAWKINS: Aye.  
MR. CATANESE: Ms. Heidelbaugh?  
MS. HEIDELBAUGH: Yeah.  
MR. CATANESE: Mr. Macey?  
MR. MACEY: Yes.  
MR. CATANESE: Mr. Palmiere?  
MR. PALMIERE: Yes.  
MR. CATANESE: Ms. Rea?  
MS. REA: Yes.  
MR. CATANESE: Mr. Robinson?  
MR. ROBINSON: Aye.  
MR. CATANESE: Mr. Martoni, President?  
PRESIDENT MARTONI: Yes.  
MR. CATANESE: Ayes, 15, noes, 0. The bill

passes.

MR. CAMBEST: Thank you.  
MR. FINNERTY: Congratulations, first of all.  
MR. CAMBEST: Thank you.  
MR. FINNERTY: This was the first time it was

unanimous.

PRESIDENT MARTONI: Notification of Contracts.

MR. CATANESE: I have none.

PRESIDENT MARTONI: Public Comment on General  
Items.

MR. CATANESE: We have one.

PRESIDENT MARTONI: Okay. Mr. Joseph Brueggman.

MR. CATANESE: Brueggman (corrects  
pronunciation).

PRESIDENT MARTONI: Brueggman. Mr. Brueggman,  
if you would come up to the mic and give us your name and  
address and ---. Did I pronounce it right, sir?

MR. BRUEGGMAN: I wasn't aware that I'm only  
going to get three minutes to say what I've got. But what

I --- I think it takes about five minutes, if I could have ---.

PRESIDENT MARTONI: Let me see. Does anybody oppose him taking five minutes?

MR. FINNERTY: I think not.

PRESIDENT MARTONI: You've got five minutes, sir.

MR. BRUEGGMAN: Thank you. My name is Joe Brueggman, a life-long resident of Allegheny County. And I live at 2646 Broad Street, in Bethel Park, since 1966. I'm not here tonight to complain about paying taxes, any taxes. In fact, I'm a proponent of paying taxes; my fair share, that is. Surely, it's inconceivable for anybody to expect good government and services without incurring shared costs and responsibilities. I am here, however, to complain about the method that is used to determine the amount of my property tax and to suggest a possible solution. I'm reasonably sure that most county residents will agree that a screwed up process which relies on educated guesses and bias interpretation to place values on properties, is just not a system at all.

It is a clumsy and inconsistent process, and it is broken. We need to find a way to replace the assessed value system --- or method, with a new simplified and quantifiably fair and just ---. I tried to end this a little bit to make it quicker. My plan would completely eliminate the inconsistent process of using property assessed values and replace it with a quantitative system based on square feet. Every piece of property can be calculated precisely in square feet; square feet of land, square feet of structure. In fact, that has already been done but would need to be taken a step further to categorize the square feet of both land and structure, in accordance with its use; categories for residential, commercial, industrial, agricultural, vacant, et cetera.

The categories will be numerous and will require considerable time to establish. But once it is completed, it will be easily administrated. Additions, deletions, combining of categories or changes of square feet could be accomplished with little effort, simple numbers up or down. Once completed, a listing of all categories would be made available to all municipalities within Allegheny County. The county and each individual municipality would retain the responsibility of assigning millage rates to each category to calculate the taxes.

We can be sure that there will be cost and inconvenience associated with such a conversion, but in the long run, the savings generated by an efficient workable system should pay for the transition, and then some. You will be eliminating the cost of running a property assessment office. You will no longer be faced with costly reassessments, whether they be annual, biannual, yearly or when ordered by the Judge. Think about it. No more lawsuits, no more appeals, no more angry, frustrated residents. No more Joe Brueggman showing up at Bethel Park High School for a community meeting and asking Mr. Fitzgerald, why did my property go up by --- increased by 29 percent, and my next door neighbor's increased by 3.7 percent, a property on which is a 25-year newer house, with 58 percent more living space.

By the way, Mr. Fitzgerald's answer to that question was, I don't know. And I was immediately bitter. Then very quickly, I felt sincere sympathy for him, because I realized that he could not possibly have an answer to a legitimate question about a ridiculous situation. How can anybody have a reasonable answer to a question like, why would a property in an upscale neighborhood in Bethel Park, with a large new house on a very large lot, with a beautiful in-ground pool and a previous assessment of only \$200,000, be reduced in value by \$44,900? Something's wrong. Left unattended, they will only get worse.

My recommendation would result in an easily administrated, simplified mathematical formula. In an effort to be brief, I did not address details. I have given thought to them, and I would be willing to discuss them with any interested parties. Thank you all for the opportunity that you have given me to speak here tonight. And I hope you will give my ideas some thought. Thank you, again.

PRESIDENT MARTONI: Thank you, sir.

MR. BRUEGGMAN: And thank you for the extra time.

PRESIDENT MARTONI: That's very thoughtful; thank you.

MR. FINNERTY: I agree with you.

MR. MACEY: We all agree with you.

PRESIDENT MARTONI: Public --- we only had one speaker up there. Motion for adjournment.

MR. FINNERTY: So moved.

PRESIDENT MARTONI: Moved in second. Question?  
All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered.

MEETING ADJOURNED AT 5:30 P.M.

CERTIFICATE

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

Beth A. Luzzney