

Allegheny County Council

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



Meeting Minutes

Thursday, January 15, 2015

4:00 PM

Conference Room 1

Committee on Appointment Review

Jan Rea - Chair; Committee of the Whole

I. Call to Order

Invited Guests:

Invited Guests Present: Austin Davis, Executive Assistant, County Executive's Office

Council Staff Present: Joe Catanese; Jared Barker; Erin Graney; Stacie Perez; Stephanie Buka

II. Roll Call

Members Present: 8 - Rea, Barbara Danko, John DeFazio, Michael Finnerty, Heather Heidelbaugh, Bob Macey, Chuck Martoni and Sue Means

Members Absent: 5 - Tom Baker, Jim Ellenbogen, Amanda Green Hawkins, Ed Kress and William Robinson

Members Phone: 2 - Nick Futules and John Palmiere

III. Approval of Minutes

[8697-15](#)

Motion to approve the minutes of the Appointment Review Committee Meeting of Allegheny County Council held on December 3, 2014.

A motion was made by Macey, seconded by Finnerty, that this matter be Passed. The motion carried by a unanimous vote.

IV. Agenda Items

Appointments

[8685-15](#)

Approving the appointment of Caroline Mitchell to serve as a member of the Allegheny County Board of Health for a term to expire on January 13, 2016.

Sponsors: Chief Executive

Ms. Mitchell provided members with an overview of the housing situation in South Oakland and the lack of government resources available to investigate the health and code violations. Councilman Martoni noted that the housing plight Ms. Mitchell described is unacceptable and Ms. Mitchell offered to meet with Dr. Martoni to further discuss the matter. Councilwoman Means made an inquiry pertaining to Ms. Mitchell's medical background. Ms. Mitchell reported that she is a licensed emergency management technician (EMT) and has worked for the Seven Springs Ski Patrol and as a member of the Allegheny Mountain Rescue Group. Councilwoman Means asked Ms. Mitchell if she had plans to run for a seat on Allegheny County Council. Councilman Finnerty objected to this line of questioning. Ms. Mitchell stated that she was interested, but undecided. Councilwoman Danko asked Ms. Mitchell about her position on gas drilling. Ms. Mitchell noted that the county must continue to abide by federal and state regulations. She added that while environmentalists advocate for stronger regulations than the Commonwealth has established, she would want to know where the resources would come from in order to study and improve those standards. Councilwoman Danko asked Ms. Mitchell how she discovered there was a vacant seat on the Board of Health. Ms. Mitchell said Mr. Eric Marchbein of the 14th Ward of the City of Pittsburgh made a recommendation to the County Executive and she followed-up by providing her resume to the County Executive.

Councilwoman Heidelbaugh reported that she has known Ms. Mitchell for 25 years, she considers her a friend and a brilliant lawyer, and in fact, sought her legal advice over 12 years ago. Ms. Heidelbaugh stated that since there has been no professional relationship between herself and Ms. Mitchell for the past 12 years, she did not believe it would be necessary to recuse herself from voting on Ms. Mitchell's appointment. Councilwoman Heidelbaugh asked Ms. Mitchell if she could serve in an independent manner, hold a healthy respect for the due process of law, and when confronted with a difficult situation, stand up for constitutional protections, and Ms. Mitchell replied yes to all. Ms. Heidelbaugh asked Ms. Mitchell if she would sign an undated letter of resignation, and Ms. Mitchell replied no. She added that such conduct is an inappropriate way to control boards. Ms. Heidelbaugh asked Ms. Mitchell about the restaurant grading proposal. Ms. Mitchell reported that issuing a grade can adversely affect restaurant owners, so she would suggest that the department establish an appeal process.

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

Members Yes: 7 - Rea, Danko, DeFazio, Finnerty, Heidelbaugh, Macey and Martoni

Members Abstain: 1 - Means

Members Absent: 5 - Baker, Ellenbogen, Green Hawkins, Kress and Robinson

Members Yes Phone: 2 - Futules and Palmiere

[8686-15](#)

Approving the reappointment of Georgia Hernandez to serve as a member of the Children, Youth and Families Advisory Committee for a term to expire on December 31, 2017.

Sponsors: Chief Executive

In response to a question from Councilwoman Means, Ms. Hernandez stated that ChildWATCH is now "Allies for Children" and former City of Pittsburgh Councilman Patrick Dowd serves as the organization's Executive Director. Councilwoman Means asked how often this group meets and Ms. Hernandez replied that they meet every other month and as Chair, she holds executive committee meetings to discuss various initiatives. Ms. Hernandez told members that the agency serves over 200,000 children. Councilwoman Heidelbaugh asked Ms. Hernandez to explain the relationship between CYF and Circle C Youth and Family Services, and she requested a report to be submitted to Council pertaining to the death of a Circle C-Carrick Group Home resident following an altercation. Ms. Hernandez stated that she would discuss the matter with Deputy Director of CYF, Dr. Walter Smith. Ms. Heidelbaugh requested the Administration to attend the next council meeting to report on the incident. Mr. Austin Davis was recognized by the Chair and stated he would discuss the matter with the county manager.

A motion was made by Danko, seconded by Finnerty, that this matter be Affirmatively Recommended. The motion carried by a unanimous vote.

[8687-15](#)

Approving the reappointment of Avis Kotovsky to serve as a member of the Children, Youth and Families Advisory Committee for a term to expire on December 31, 2017.

Sponsors: Chief Executive

Held in Committee

[8688-15](#) Approving the reappointment of Clifford B. Levine to serve as a member of the Southwestern Pennsylvania Commission for a term to expire on December 31, 2018.

Sponsors: Chief Executive

Mr. Levine reported that the City of Pittsburgh and Allegheny County are now working well together to promote their objectives. Councilwoman Heidelbaugh asked Mr. Levine about attendance, and Mr. Levine replied that he regularly attends the meetings. Ms. Heidelbaugh asked Mr. Levine about transit deserts and how the SPC plans on addressing the problem, particularly in Baldwin. Mr. Levine reported that while they support public transportation at a macro-level, Baldwin is not in their jurisdiction. Ms. Heidelbaugh asked Mr. Levine about his willingness to serve in an independent manner. Mr. Levine stated that there have been times when he has disagreed with the county executive, and he would be able to serve in an independent manner.

A motion was made by Macey, seconded by DeFazio, that this matter be Affirmatively Recommended. The motion carried by a unanimous vote.

[8689-15](#) Approving the reappointment of Dr. David Y. Miller to serve as a member of the Southwestern Pennsylvania Commission for a term to expire on December 31, 2018.

Sponsors: Chief Executive

Councilwoman Means asked Dr. Miller how he would define sustainability. Dr. Miller responded that sustainability involves establishing programs that build the future, provide intergenerational equity, and leaving the planet in no worse of a condition. Councilwoman Danko asked how each of the ten counties submitted their priorities to the commission. Dr. Miller said that the staff of SPC is very helpful in determining allocation of resources, PennDOT is an integral part of the process, and that the needs of Allegheny County and the City of Pittsburgh are well-articulated. Dr. Miller's observation of the commission is that there is a regional conversation taking place. In response to a question from Councilwoman Heidelbaugh, Dr. Miller stated he does regularly attend meetings. Dr. Miller agreed to meet with Ms. Heidelbaugh to further discuss transit deserts. Councilman Finnerty asked Dr. Miller about PennDOT's role, and Dr. Miller reported that over the past 15 years, PennDOT has been much more responsive to their requests.

A motion was made by Macey, seconded by DeFazio, that this matter be Affirmatively Recommended. The motion carried by a unanimous vote.

[8690-15](#) Approving the reappointment of Robert Macey to serve as a member of the Southwestern Pennsylvania Commission for a term to expire on December 31, 2018.

Sponsors: Chief Executive

Held in Committee

V. Adjournment

The meeting adjourned at 5:15 p.m.