

Allegheny County Council

*County of Allegheny
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Committee Meeting Minutes

Tuesday, June 24, 2008

4:30 PM

Conference Room 1

Committee on Public Works

***Bob Macey, Chair; Jim Burn, Nick Futules, Vince Gastgeb, Chuck Martoni, and
Bill Robinson - Members***

I. Call to Order

Summary: *The meeting was called to order at 4:30 PM*

Invited Guests:

Jim Flynn, County Manger or Designee

Joe Olczak, Director, Public Works or Designee

Mike Wojcik, County Solicitor or Designee

Summary: *Invited guests in attendance: Derek Uber for Mr. Flynn, Joe Hrabik and David Wright for Mr. Olczak, and John Mulroy for Mr. Wojcik*

Council staff in attendance: John Mascio, Jennifer Liptak, and Jared Barker

II. Roll Call

Roll Call: Present: Jim Burn, Nick Futules, William Robinson, Chair Bob Macey, Council Member Joan Cleary, Committee Member Amanda Green, Council Member Michael Finnerty, and Council Member Rich Fitzgerald
Absent: Vince Gastgeb, and Member Chuck Martoni

III. Approval of Minutes

4099-08 Motion to approve the Minutes of March 5, 2008 Public Works Committee Meeting.

Action: **A motion was made by Burn, seconded by Futules, that this matter be Passed. The motion carried unanimously.**

IV. Agenda Items**Ordinances**

3964-08 An Ordinance authorizing the County of Allegheny to clear the right-of-way for, and to acquire by condemnation certain parcels of land for this project, and to take such further action as may be necessary under applicable law, including the Eminent Domain Code of 1964, as amended.

Sponsors: Chief Executive

Summary: *Mr. Hrabik and Mr. Wright provided the committee with an oral and visual presentation of the purpose of the bill. They said that the bill would authorize the County to clear the right-of-way and acquire by condemnation one of the parcels required to widen Brownsville Road intersecting with Broughton Road. This project, which is eligible for 80 percent funding from the Federal Highway Administration, is intended to increase traffic capacity to improve safety and reduce travel delays.*

The bill also authorizes the Law Department, together with the Department of Public Works, to obtain appraisals and title reports, to negotiate and acquire the required rights-of-way and easements, and to prepare all documents necessary for the process, including declarations of taking, petitions to deposit estimated just compensation and petitions for appointment of viewers. The bill also directs the Law Department to

provide notice to the owners of the affected land, and directs the Law Department to apply to the Court of Common Pleas of Allegheny County to have the value of the property legally determined.

They also said that the Department of Public Works and the property owner have been unable to reach an amicable settlement and that based on past experience, Right-of Way Services predicts that going to court, rather than accepting the owner's counter-demand, will result in a substantial savings. The parcel had been used to operate the Curry Hotel, a bar with exotic dancing and apartments upstairs.

Mr. Macey asked if they foresee a long legal battle. Mr. Hrabik said no.

Mr. Finnerty asked what the county's liability was. Mr. Hrabik said that 20% would be county share, and that amount was already appropriated in the Capital Budget.

Action: **A motion was made by Robinson, seconded by Burn, that this matter be Affirmatively Recommended. The motion carried unanimously.**

V. Adjournment

Summary: *The meeting adjourned at 4:43 PM*