

STATE TAX EQUALIZATION BOARD MINUTES

July 19, 2023

11:00 A.M.

In attendance:

Peter Barsz, STEB Board Chairman
Brittany Mercadante, STEB Board Secretary
Gary Baker, STEB Board Member
Renee Reynolds, STEB Director
Susie Blanton, Counsel to STEB
Kelly Robertson, DCED/CLGS Executive Director - Call-In

Members of the Public:

John Silvestri - Call-In

Chairman Barsz called the scheduled meeting to order at 11:15 a.m.

PUBLIC COMMENT

During public comment, Mr. Silvestri commented on New Business items #1 and 2. For New Business Item #2, regarding the objections to the 2022 Common Level Ratio for Allegheny County, he is requesting the Board adopt the final order from the chief hearing examiner for docket number 2022-4 and have the matter referred to the Court of Common Pleas of Allegheny County as the only issues in the objections deal with coding. For New Business Item #1, regarding objections filed by the Pittsburgh Area School District to the 2020 Recalculated Allegheny County Common Level Ratio, Mr. Silvestri stated his clients are interested in intervening pursuant to 1 PA Code Section 35.27 through 35.32, and if this matter is not also referred to Common Pleas, he is requesting a notice of the docket number so that he may file a motion to intervene pursuant to the codes as described. He thanked the Board for allowing him to make public comment.

After public comment, the Chair stated that an Executive Session was held today, July 19, 2023, at 10:30 a.m. to 11:15 a.m. to discuss potential litigation regarding recently filed objections.

OLD BUSINESS

Approval of Previous Meeting Minutes:

1. There were no corrections to be made to the meeting minutes of June 21, 2023. Chairman Barsz asked for a motion to approve the meeting minutes as stated. Mr. Baker motioned to approve the meeting minutes and Ms. Mercadante seconded the motion. The motion was approved unanimously.

Litigation Updates:

2. Ms. Blanton presented the Board with an update on Boguslavsky v. N. Pocono Sch. Dist., et al., no. 348 MD 2021 (Pa. Cmwlth.), and stated the Attorney General's office is representing the Department of Education and STEB. The matter remains in the discovery process and there are no further updates or actions required by the Board.

3. Ms. Blanton presented the Board with an update on Vaysburd v. N. Pocono Sch. Dist., et al., Docket No. 40 MD 2023 (Pa. Cmwlth.), and stated the Attorney General's office is also representing Education and STEB in this matter. On July 3, 2023, the attorneys for Education and STEB filed a brief in support of its preliminary objections to Vaysburd's petition for review. Petitioners have not yet filed a response. There is no action required by the Board at this time.

NEW BUSINESS

1. Ms. Blanton informed the board that as the end of June, the Pittsburgh Area School District filed objections to the recalculated 2020 Common Level Ratio for Allegheny County. The objections allege the recalculation was based on incorrect sales data, the revision of the CLR was untimely, there was a lack of review by the Board which is to occur when the Common Level Ratio changes more than 10 percent, and that the Board has the power to audit Allegheny County. The school district is requesting the Board review the recently recalculated 2020 CLR, hold an administrative hearing, and recalculate the 2020 Allegheny County CLR as needed. Ms. Blanton recommend the Board hold a hearing on these objections. The Board has stated a hearing will be set.

2. Ms. Blanton informed the Board of newly filed objections to the 2022 Common Level Ratio for Allegheny County. Petitioner Hickman filed objections requesting time to review the sales data and coding submitted by Allegheny County so to determine whether correction to the CLR is needed. Ms. Blanton recommend the Board hold a hearing on these objections. The Board has stated a hearing will be set.

3. Ms. Reynolds informed the Board as of June 28, 2023, Freeport Area School District filed their appeal to their 2022 Market Values. They requested the data which went into the calculation to review. She indicated an acceptance response, and all data was sent to the district for their review on June 30, 2023. Noting there is nothing for the Board to act on.

No further items came before the Board.

NEXT REGULAR BOARD MEETING:

Governor's Center for Local Government Services
State Tax Equalization Board
Commonwealth Keystone Building
August 16, 2023, at 11:00 A.M.

MOTION TO ADJOURN:

Having attended to all matters of concern, Chairman Barsz asked for a motion to adjourn the meeting. Ms. Mercadante motioned to adjourn, and Mr. Baker seconded the motion. The motion was approved unanimously. The Board concluded at 11:26 a.m.

Respectfully submitted,

Brittany Mercadante

Brittany Mercadante, STEB Secretary