

**BOROUGH OF GREEN TREE
COUNCIL MEETING
JANUARY 18, 2010**

Call to Order / Pledge of Allegiance

Green Tree Borough Council met on Monday, January 18, 2010 at 7:35 p.m. at the Green Tree Municipal Center, 10 West Manilla Avenue, Pittsburgh, Pennsylvania.

Roll Call

Members Present:

C. F. Hammer, Mayor
Mark Sampogna, President
Daniel Behanna
John Novak
Janine Palmer
Ron Panza
Ed Schenck
Arthur Tintori

Also Present:

W. David Montz, Borough Manager
Peter Molinaro, Jr., Borough Solicitor
Brendan Helt, Jr. Council Person
Deborah N. Gawryla, Stenographer

PUBLIC HEARING

To consider the request by CLKLS Limited Liability Company t/a Scoglio's Green Tree to transfer Liquor License No. R-01117, formerly used at 1597 Washington Pike, Suite B1, Bridgeville, PA 15017, from Collier Township to Green Tree Borough for use at Scoglio's Green Tree, Foster Plaza, Building No. 7, 1st floor, 661 Andersen Drive, Green Tree Borough, PA 15220.

Mr. Sampogna opened the public hearing by asking the applicant to explain the details of the request for the transfer of the liquor license. Mr. Gregory Szallar and Mr. Mark Kozar from Flaherty & O'Hara and Mr. Paul Kennedy, an LLC manager from CLKLS were present.

Mr. Szallar distributed information regarding Scoglio's that included exterior and interior photographs of the restaurant and their lunch and dinner menus. Mr. Montz stated public notice for this public hearing had been placed in the Pittsburgh Post-Gazette as required by law. The notice appeared in the newspaper on 1/7/10 and 1/11/10. Mr. Montz presented Mr. Sampogna with the ad to be entered as an exhibit in the public hearing.

Mr. Szallar said he represented the owners of Scoglio's Green Tree, requesting the transfer of Scoglio's liquor license from Collier Township to Green Tree Borough. He detailed the regulations governing the transfer of a liquor license.

Mr. Szallar said that Scoglio's Green Tree is owned by Ms. Linda Shuba. Ms. Shuba has spent the past 41 years working in the restaurant and hospitality industry. Ms. Shuba, along with her son, Mr. Paul Kennedy, are the company's only officers and have an active role in the restaurant's day-to-day operations. Scoglio's is currently open, since September 21, 2009, as a restaurant on the first floor of Building #7 in Foster Plaza, the location of the former Piccolo Mondo. It is a casual upscale fine dining restaurant and would like to be able to sell and serve alcohol in addition to its food offerings in its restaurant and for private parties and banquet patrons.

Mr. Szallar reviewed the information he had distributed to Council. He said that Scoglio's provides patrons with appetizers, soup, salad, sandwiches, pasta, various meat entrees,

including steaks, chicken, seafood, lamb and pork dishes. All the menu items are available in children's portions at a reduced rate.

Scoglio's will not offer beer for take-out and there will be no games, jukeboxes or other entertainment in the business, except for entertainment that would be arranged by patrons that are renting the banquet and party room. The restaurant will be open for lunches, dinners, private parties and banquets on Monday through Thursday from 11:30 to 9:00 p.m., Fridays from 11:30 to 10:00 p.m., and Saturdays from 5:00 to 10:00 p.m. Scoglio's is closed on Sundays with the exception of private parties and banquets. Mr. Szallar detailed the layout of the facility.

Mr. Szallar said that the corporate officers, bartenders and licensed manager will all receive and undergo formal alcohol service training. All of the other employees will go through an informal training process regarding the responsible sales of alcohol that will be done in conjunction with Mr. Szallar's office.

Mr. Szallar stated that the owners of this business have over \$100,000 invested in the business with respect to the furniture, fixtures, equipment and the liquor license itself. There are 16 employees; nine are full-time. Since the restaurant is located in an office complex, there are no parking issues. Mr. Szallar stressed that while alcohol would be offered, it would not be the main attraction for the restaurant, but instead as a compliment to the food being served. The owners anticipated approximately 10-15% of their gross sales coming from alcohol sales. He requested that Council consider recommending the transfer of the liquor license.

Mr. Schenck asked if the Keystone Opportunity Expansion Zone Act, mentioned in some of the paperwork, was applicable in this case. Mr. Szallar said this does not apply in this case; it is merely a regular transfer of a liquor license from one municipality to another.

Mr. Tintori asked what was the length of Scoglio's lease at the Foster Plaza location. Mr. Szallar believed that the lease was for ten years. Mr. Tintori asked if this restaurant was related to the other Scoglio's Restaurant in the region. Mr. Szallar said that this Scoglio's has a separate ownership from the other Scoglio's. Discussion regarding the restaurant ownership continued.

When asked, Mr. Montz said that Chief Lisiecki had reviewed this matter and submitted a memo, dated 1/15/10, to Mayor Hammer stating:

"At this point in time there are no problems I am aware of concerning the transfer of the liquor license. I spoke to a representative from the Collier Police Department who said they had no problems with that business at this time."

Chief Lisiecki asked if Scoglio's had any plans now, or in the future, of staying open until 2:00 a.m. and possibly serving more alcohol than food. Mr. Szallar replied that he knew of no plans to keep the restaurant open later than 10:00 p.m. and it would be kept as a casual, fine dining restaurant.

Mr. Montz said the previous location of Scoglio's in Collier Township had a liquor license for years. Additionally, Piccolo Mondo, the restaurant that was previously located where Scoglio's is currently located in Green Tree, also had a liquor license.

Mr. Schenck asked about the procedures to be followed in obtaining approval from the Pennsylvania Liquor Control Board for the liquor license if Council approves this action this evening. Mr. Szallar replied that the PLCB will conduct its own investigation, but in order for the owner to file with the PLCB it must first obtain approval from the local

municipality to move the license into the Borough. He detailed some of the steps the PLCB will take before issuing the liquor license.

Motion:

Mr. Behanna made a motion, seconded by Ms. Palmer, to close the public hearing at 7:48 p.m.

Motion carried unanimously.

HEARING OF THE CITIZENS

There was no one present who wished to be heard.

MAYOR'S REPORT - Mayor Hammer

Mayor Hammer had nothing to report at this time.

REPORT OF BOROUGH COUNCIL COMMITTEES

A. FINANCE - Mr. Behanna

1. Ordinance #1636

Amending Section 6 of Ordinance #1622 setting the salary and benefits of Andrew Lisiecki, Chief of Police.

Mr. Behanna stated that this ordinance had been tabled from Council's December meeting because of a number of some questions and possible typos in the ordinance at that time. Those issues have been resolved and it was now ready for passage.

Motion:

Mr. Behanna made a motion, seconded by Mr. Tintori, to place Ordinance #1636 on first and final reading by title only.

Motion carried unanimously.

Mr. Molinaro read Ordinance #1636 by title only.

Motion:

Mr. Behanna made a motion, seconded by Ms. Palmer, to pass Ordinance #1636 on first and final reading by title only.

Roll Call Vote

Mr. Behanna	Yes
Mr. Novak	Yes
Mr. Tintori	Yes
Ms. Palmer	Yes
Mr. Schenck	Yes
Mr. Panza	Yes
Mr. Sampogna	Yes

Motion carried unanimously.

Motion:

Mr. Behanna made a motion, seconded by Ms. Palmer, to authorize the proper officers to sign Ordinance #1636 and that it be advertised according to law.

Motion carried unanimously.

- 2. Mr. Behanna said the Mr. Montz has asked to take a certificate program from the University of Pittsburgh on MBA essentials.

Motion:

Mr. Behanna made a motion, seconded by Mr. Tintori, to authorize the Borough Manager to take the MBA essentials certificate program from the University of Pittsburgh at a cost not to exceed \$6,000.00.

Motion carried unanimously.

B. PLANNING & ZONING - Ms. Palmer

- 1. Ms. Palmer suggested that the Planning & Zoning Committee of Council meet soon. She added that a meeting of the Comprehensive Plan Committee would be held on Thursday at 7:00 p.m. at the Municipal Center.
- 2. Ms. Palmer noted that Kossman Development, owners of the Best Western on Greentree Road, had expressed interested in demolishing the apartment buildings adjacent to the Best Western and turning that area into a parking lot for the hotel. Mr. Montz said that the Borough anticipated an application regarding this action in the near future.

C. PUBLIC PROPERTY & EQUIPMENT - Mr. Tintori

- 1. Mr. Tintori reported that the new lights along Mansfield are now on.

D. PUBLIC SAFETY

1. Resolution #1129

Extending the term of the Green Tree Traffic Advisory Board

Motion:

Mr. Schenck made a motion, seconded by Ms. Palmer, to adopt Resolution #1129, extending the term of the Green Tree Traffic Advisory Board to December 31, 2010.

Mr. Molinaro read Resolution #1129 by title only.

Roll Call Vote

Mr. Schenck	Yes
Ms. Palmer	Yes
Mr. Behanna	Yes
Mr. Tintori	Yes
Mr. Panza	Yes
Mr. Novak	Yes
Mr. Sampogna	Yes

Motion carried unanimously.

2. Resolution #1130

Liquor License Transfer - Scoglio's Green Tree

Motion:

Mr. Schenck made a motion, seconded by Mr. Behanna, to adopt Resolution #1130 to transfer the liquor license of Scoglio's Restaurant from Collier Township to its present location on the first floor of Foster Plaza, Building #7.

Mr. Molinaro read Resolution #1130 by title only.

Roll Call Vote

Mr. Schenck	Yes
Mr. Behanna	Yes
Mr. Novak	Yes
Ms. Palmer	Yes
Mr. Panza	Yes
Mr. Tintori	Yes
Mr. Sampogna	Yes

Motion carried unanimously.

E. RECREATION & COMMUNITY AFFAIRS - Mr. Panza**1. Designating of Char West Council of Governments delegate and alternate delegate.****Motion:**

Mr. Panza made a motion, seconded by Mr. Tintori, to appoint Mr. John Novak as the delegate and Mr. Dan Behanna as the alternate delegate to the Char West Council of Governments.

Motion carried unanimously.

2. Green Tree's 125th Anniversary Celebration

Mr. Panza said that next meeting of the Borough's 125th Anniversary Celebration committee is on January 27, 2010 at the fire hall. He suggested that Council members begin attending some of these meetings and get involved in some of the events that will take place as part of the celebration.

F. STREETS & PUBLIC HEALTH - Mr. Novak**1. Motion:**

Mr. Novak made a motion, seconded by Mr. Behanna, to authorize the Borough Manager to retain the services of Lennon, Smith & Souleret Engineering, Inc., to develop a sanitary sewer model for the Whiskey Run Watershed at a cost not to exceed \$6,000.00.

When asked, Mr. Montz said that this model would be done in conjunction with Scott Township.

Motion carried unanimously.

2. Sewer Complaint

Mr. Novak reported that the Borough is working on a sewer complaint from a resident on Heckler Drive. The resident has also notified the Allegheny County Health Department and the Borough is currently in the process of attempting to determine if the sewer line is public or private.

3. Road Salt

Mr. Novak said that the break in the weather has allowed municipalities to restock their salt supplies. The Borough currently has plenty of salt on hand. However, the weather has been wreaking havoc on the roads with several areas throughout the Borough experiencing some heaving of the asphalt.

4. Mr. Novak reported that Char West COG will be meeting in Green Tree on Thursday, January 21 at 7:15 p.m. and he encouraged other Council members to attend if possible.
5. Mr. Tintori asked about the status of several water line breaks on Leon and near St. Margaret's Church. Mr. Montz replied that the water break on Leon has been repaired. The water break near St. Margaret's has had a temporary fix until spring. Shutting the water valve along Poplar Street would not work and a complete repair would require shutting off the water tower and impacting a large number of people, so the water company wants to wait until the weather breaks to complete the repair completely.

LIAISON REPORTS

1. MRTSA - Mr. Montz

Mr. Montz said that MRTSA will be meeting next Wednesday, January 27.

2. Char West COG - Mr. Behanna

Mr. Behanna had nothing to report at this time.

3. Library - Mr. Sampogna

Mr. Sampogna reported that the Library Board would be meeting tomorrow evening.

4. Junior Council Person Report - Mr. Helt

Mr. Helt reported that he and several friends had tried out the hockey court with the new surface and it had gotten good reviews. Mr. Behanna said he had heard there were no nets at the hockey court. Mr. Montz replied that the new nets had just arrived and the edging will be completed this week.

PRESIDENT'S REPORT - Mr. Sampogna

Mr. Sampogna had nothing to report at this time.

SOLICITOR'S REPORT - Mr. Molinaro

Mr. Molinaro had nothing to report at this time.

MANAGER'S REPORT - Mr. Montz

Mr. Montz had nothing to report at this time.

ADJOURNMENT

Motion:

Mr. Panza made a motion, seconded by Mr. Behanna, to adjourn the meeting at 8:05 p.m.

Motion carried unanimously.

Mark Sampogna, President

W. David Montz, Manager