

**BOROUGH OF GREEN TREE
COUNCIL MEETING
APRIL 4, 2022**

Call to Order / Moment of Silence / Pledge of Allegiance

Green Tree Borough Council met on Monday, April 4, 2022 at 7:30 p.m. in the Sycamore Room of the Green Tree Municipal Center, 10 West Manilla Avenue, Pittsburgh, PA 15220. Mr. Tintori stated that Council had met in Executive Session prior to this meeting to discuss personnel matters.

ROLL CALL

Members Present:

Edward Schenck, Mayor
Arthur Tintori, President
Shannon Barron
Rino Lindsey
Ron Panza
David Rea
Craig Romanovich
James Turocy

Also Present:

Judy Miller, Borough Manager
Kate Diersen, Esq., Borough Solicitor
Kim Beck, Stenographer

APPROVAL OF THE MINUTES

March 7, 2022

Motion:

Mr. Rea made a motion, seconded by Mr. Romanovich, to approve the March 7, 2022 minutes as presented.

Motion carried unanimously.

HEARING OF THE CITIZENS

There was no one present who wished to be heard.

MAYOR'S REPORT- Mayor Schenck

At this time, Mayor Schenck noted that the current ordinance states that the Mayor's Report is listed after the Hearing of the Citizens. Since a new ordinance had not yet been passed, Mayor Schenck asked to give his report.

- A.** Mayor Schenck stated that he and Chief Cleary hosted open Office Hours recently. They had a few residents stop in to speak with them, which he appreciated.
- B.** Mayor Schenck noted that he and a few other members of Council had been interviewed by DCED as a part of their evaluation of the municipality. Mr. Lindsey and Ms. Barron were also interviewed. Mayor Schenck stated that he is hopeful that DCED will come back with some recommendations that will help the borough, as there is always room for improvement.
- C.** Mayor Schenck stated that a committee should be formed to discuss the order of the agenda and amendment of the ordinance before it is brought forth to Council. He suggested that the committee consist of the Mayor, the President, an older member of Council, and a newer member of Council. Mayor Schenck noted that he believed the Mayor's Report should be early in the agenda because the mayor could set the tone for the meeting by letting residents know what is happening in the community. He stated that if Council did not take time to form a committee and look over the entire ordinance, then he would be forced to veto the ordinance when it came to a vote.

Mr. Rea asked if the members of Council would be doing their General Report during their Committee Business Reports since the ordinance had not yet been passed. Mr. Tintori suggested that they continue following the agenda as it was presented for this meeting. Ms. Diersen stated that since the order of the agenda was not in the charter, and all the information was still being presented to the public, then there was no issue with the presented agenda from a legal standpoint. Ms. Miller suggested that following the agenda as it was presented would make the meeting less confusing for everyone to follow.

Motion:

Mr. Lindsey made a motion, seconded by Mr. Turocy, to follow the agenda as it was presented for tonight's meeting.

Motion carried unanimously.

Mr. Turocy suggested that the agenda and ordinance be addressed at the next Finance and General Policy meeting. Mayor Schenck asked if he would be able to attend the meeting. Mr. Turocy said that he was invited to attend.

COMMITTEE BUSINESS REPORTS

A. Finance and General Policy – Mr. Turocy

1. Motion:

Mr. Turocy made a motion, seconded by Mr. Lindsey, to ratify the actions of the Borough Manager in paying the March 2022 invoices from the General Fund totaling \$66,166.04; Farmers Market totaling \$820.00; Payroll Account totaling \$304,103.92; and Educational Service Agency totaling \$7,156.73.

Motion carried unanimously.

2. Motion:

Mr. Turocy made a motion, seconded by Mr. Lindsey, to approve payment of the April 2022 invoices from the General Fund totaling \$96,267.31; Sanitary Sewer Maintenance Fund totaling \$4,397.96; and Bond Fund totaling \$32,907.88.

Mr. Rea asked why the Borough was paying a retainer fee to Gateway Engineers. Ms. Miller explained that the retainer fee was for Gateway Engineers to store records for the Borough. It is her understanding that Gateway Engineers technically owns the files, and the Borough pays a lease to store the files with the company.

Mr. Rea asked why there were two similar payments made to Advent, the Borough's IT company, in the same month. Ms. Miller explained that the IT charge was split between the Administrative Office and the Police Office, as they are billed separately.

Motion carried unanimously.

**3. Ordinance #1870
Amending Sections of Chapter 28, Council.**

Motion:

Mr. Turocy made a motion, seconded by Mr. Lindsey, to table Ordinance #1870 for further review by the Finance and General Policy committee.

Mr. Panza stated that he felt that Mayor Schenck had come up with a good idea to have the President, Mayor, a newer member of Council, and an older member of Council form a committee and discuss the changes to the agenda. Mr. Lindsey suggested having Mr. Tintori decide the committee. He stated that he felt that this topic did not fall under any of the current standing committees and should be an Ad Hoc Committee. Mr. Turocy noted that the Finance and General Policy Committee fit the description that Mayor Schenck had regarding committee members. Council continued discussing the criteria of various committees.

Motion carried unanimously.

B. Planning and Zoning – Mr. Rea

Public Hearing for Zoning Ordinances

Ms. Diersen stated that Council had two zoning ordinances that were up for consideration at this meeting. She noted that because they are zoning ordinances, they are governed by the Municipal Planning Code, as well as Borough Ordinances, which both have specific requirements. The requirements included being advertised twice in advance of tonight's meeting, reviewed by County Planning, and that they were extensively reviewed by the Borough's Planning Commission.

The first ordinance on the agenda is an amendment, updating the zoning use table and making sure that the Borough has the appropriate definitions for all the terms in the zoning ordinance. There was recently a full amendment to the zoning ordinance, so this gave the Borough the opportunity to make some necessary clarifications.

The second ordinance on the agenda is regarding public storage containers and dumpsters, and how those are regulated and permitted by the Borough.

Mr. Tintori opened the Public Hearing to anyone who had questions about the proposed ordinances.

Cheryl Bakin, Green Tree Planning Commission Chair, 884 Greentree Rd

Ms. Bakin stated that when the Planning Commission submitted the Dumpster and Portable Storage Container Ordinance for consideration by Council, they had not included the fees within the ordinance. The Planning Commission had suggested they go on a separate fee schedule, so that every time fees were adjusted, there would not be a need to re-write the ordinance. She noted that when the ordinance was returned to her, the fees had been added to the actual ordinance. She suggested, on behalf of the Planning Commission, that Council consider including the fees in the fee schedule rather than in the ordinance.

Ms. Miller stated that the fees were added to the ordinance rather than the fee schedule, because she did not want to pass an ordinance that referenced a fee schedule that did not include the related fees. She said that the fee schedule was in the process of being updated because there were several fees that needed to be brought up to date. Ms. Diersen recommended amending the language in the ordinance to read "or as set by resolution by Borough Council". She said that if that sentence was added to the ordinance, it would set the initial fee in the ordinance, but would allow Council to amend the fee going forward.

Mr. Rea stated that the ordinance needed to be changed to create a separate definition for the term "Portable Storage Container," as it was currently listed under the definition of "Dumpster" and should be separated.

With no other questions or comments, Mr. Tintori closed the public hearing.

- 1. **Ordinance #1868**
Amending Chapter 420 of the Green Tree Codified Ordinances, by updating Table 3.1 and adding/removing supplemental regulations in accordance with the Solicitor's correspondence dated February 13, 2022.

Motion:

Mr. Rea made a motion, seconded by Mr. Turocy, to pass Ordinance #1868, amending Chapter 420 of the Green Tree Codified Ordinances.

Roll Call Vote:

Mr. Rea	Yes
Mr. Romanovich	Yes
Mr. Turocy	Yes
Ms. Barron	Yes
Mr. Lindsey	Yes
Mr. Panza	Yes
Mr. Tintori	Yes

Motion carried unanimously.

- 2. **Ordinance #1869**
Amending §420-14 of the Green Tree Codified Ordinances to set forth a definition, fee, and regulations for Dumpsters and Portable Storage Containers in accordance with the Planning Commission's correspondence dated February 2, 2022.

Motion:

Mr. Rea made a motion, seconded by Mr. Romanovich, to pass Ordinance #1869, amending §420-14 of the Green Tree Codified Ordinances to set forth a definition, fee, and regulations for Dumpsters and Portable Storage Containers, and also making the change of adding the resolution to refer to the fee schedule and creating a separate definition for a portable storage container.

Roll Call Vote:

Mr. Rea	Yes
Mr. Romanovich	Yes
Mr. Turocy	Yes
Ms. Barron	Yes
Mr. Lindsey	Yes
Mr. Panza	Yes
Mr. Tintori	Yes

Motion carried unanimously.

C. Public Safety/Public Safety Equipment – Mr. Lindsey

- 1. **Ordinance #1871**
Amending and accepting the revisions to the Green Tree Borough Police Department Policy 300, Use of Force, in accordance with the Police Chief's Correspondence dated March 28, 2022.

Mr. Lindsey stated that the revision and adoption of an updated Use of Force Policy had been seen by the committee, the union, and everybody involved, including the Solicitor.

Motion:

Mr. Lindsey made a motion, seconded by Mr. Rea, to pass Ordinance #1871, approving and adopting Policy 300, Use of Force, as part of the Police Manual of the Green Tree Borough Police Department.

Mr. Rea asked if the Use of Force Policy was to be followed regardless of another jurisdiction’s policy. Mr. Lindsey stated that the Green Tree Police Officers would be held accountable, regardless of what jurisdiction they were currently in. Mr. Rea asked if the Green Tree Police officers were required to report any use of force beyond what is acceptable in our policy, even if it involved another agency. Mr. Lindsey stated that he would need to get clarity from Chief Cleary, but that his understanding was that the officers were bound to report. Council continued discussing the wording of the ordinance. Ms. Diersen stated that she had followed up with the Chief regarding a similar question about the change in policy to intervene, and that he had noted that this ordinance would be bringing the Borough in line with the DA’s model policy.

Roll Call Vote:

Mr. Lindsey	Yes
Mr. Panza	Yes
Mr. Rea	Yes
Mr. Romanovich	Yes
Mr. Turocy	Yes
Ms. Barron	Yes
Mr. Tintori	Yes

Motion carried unanimously.

2. Mr. Lindsey stated that the next item on the agenda was an execution of a Memorandum of Understanding concerning the review of police video. He said that when an accident occurs, it is currently the police department’s responsibility to look at the footage before giving it to the DA, so this would cut out the go-between and make the DA’s office responsible for watching the video. Mr. Tintori explained that over the past couple of years, Council had been challenging Chief Cleary to update several of their policies, and that this is one of those updated policies.

Motion:

Mr. Lindsey made a motion, seconded by Mr. Romanovich, to authorize the execution of a MOU between the Borough of Green Tree and Allegheny County District Attorney’s office regarding review of police video under Act 22.

Motion carried unanimously.

D. Recreation Programming and Community Welfare – Mr. Panza

1. **Motion:**

Mr. Panza made a motion, seconded by Mr. Lindsey, to appoint Sarah Thurston and Christina Nocera to the Recreation and Community Activities Board for 3-year terms to expire on December 31, 2024.

Mr. Tintori asked if the Recreation Programming and Community Welfare Committee had met and come to a consensus regarding these nominations. Mr. Panza stated that the candidates had been

interviewed during the Planning Commission and Zoning interviewing process, and that these candidates had the Recreation and Community Affairs Board selected as their first choice.

Ms. Barron asked if the candidates knew that they were being nominated at the Council meeting this evening. Mr. Panza stated that when they interviewed Ms. Thurston during the Planning Commission interviews, they had discussed the Recreation Board, and she had showed interest in being selected. Ms. Barron asked if a similar conversation had occurred with Ms. Nocera. Mr. Panza noted that he had not spoken to her directly, but that she had shown interest in being on the board when she submitted her application. Council continued discussing the two candidates, and whether they had been interviewed and spoken to regarding the commitment involved in volunteering on the board.

Motion:

Mr. Panza made a motion, seconded by Mr. Lindsey, to rescind his previous motion and to table the appointments to the Recreation and Community Activities Board.

Motion carried unanimously.

COMMITTEE CHAIR REPORTS

A. Finance and General Policy – Mr. Turocy

Mr. Turocy had nothing to report at this time.

B. Infrastructure – Mr. Romanovich

1. Mr. Romanovich stated that the Borough had received a 120-day extension on the possibility of a lateral inspection ordinance, in lieu of other options that are available for the borough's consent order. This extension was granted by the Allegheny County Health Department.

C. Planning and Zoning – Mr. Rea

1. Mr. Rea announced that the Planning Commission had identified some omissions from the zoning ordinance that needed to be addressed. They will be going through the zoning code in the coming months and submitting the recommended changes to Ms. Miller and Ms. Diersen.
2. Mr. Rea stated that the Planning Commission was having difficulty gathering necessary data from the census, due to the fact that Green Tree has fewer than 5,000 residents. Ms. Miller asked if they had been able to find any census data. Ms. Bakin, Planning Commission Chair, stated that they had very limited access to the census data, and the data wasn't broken down far enough to allow the Planning Commission to make comparisons to the data they had received from the 2010 census. Ms. Miller said she would reach out to local communities to see if they were able to access additional census data.
3. Mr. Rea reported that Foster Plaza was 20-30% occupied at this time, which is far below the occupation rate before the pandemic started. He stated that some companies are re-negotiating their leases, which could lead to tax reduction requests. He suggested that Council consider a re-zoning of that district to be mixed-use. He said that if Council didn't have any objections, he would take the information to the Planning Commission and have them do further research on what the potential re-zoning would look like. Mr. Rea said that the Planning and Zoning Committee would work closely with the Planning Commission, but that this re-zoning was imperative to the vitality of Foster Plaza.

D. Public Facilities and Equipment – Ms. Barron

1. Ms. Barron noted that The Hemlock II Baseball Field was re-seeded in the fall of 2021. As the re-seeding requires 12 months of full growth, the field will be out of circulation for the summer of 2022 season. The field will be monitored and re-evaluated in the Fall to ensure the grass is properly rooted this upcoming Fall.
2. Upon inspection, it was made clear that the Wilson Park wall is in need of some rebuilding. There will be preparation and bid documents for this project, which should begin in the fall of 2022.
3. Ms. Barron stated that the Public Works Department had begun preparations for the upcoming summer. Mechanism repairs have been happening and will continue as needed. Standard pool preparation, including painting and patching, will begin in the upcoming weeks as Green Tree prepares for the summer pool season.
4. The Allegheny County Library Association launched a brand-new app in the past week, which has been a huge project between all the libraries in Allegheny County. Ms. Barron said that the new app will allow users to browse the catalog and put books on hold, among other things. She noted that one of the most amazing features of this app is that it will allow residents to check books out directly from their phone or smart device, rather than standing in line at the circulation desk. Ms. Barron said that this app can be used at all the public libraries across Allegheny County.

E. Public Safety/Public Safety Equipment – Mr. Lindsey

1. Mr. Lindsey asked if there was a COG report, as he did not see one listed on the agenda. Mr. Tintori said that Mr. Romanovich was the current COG representative and could give a report during his committee chair report if he had anything to announce. Mr. Romanovich stated that he was unable to attend the past month's COG meeting.
2. Mr. Lindsey stated that he had sent an email to the members of Council concerning the hiring process for new police officers. He said that they were interested in altering the minimum requirements regarding college degrees and credits, which a lot of other communities have already done. He asked Council to give him any questions or concerns so he could pass the information along to the Civil Service Commission. He noted that if the Civil Service Commission was able to send a recommendation back to Council quickly, they would possibly need to schedule a second Council meeting in the month of April.
3. Mr. Lindsey noted that the social room in the Fire Hall had been named the "Carlisle Social Hall" by resolution several years ago. He asked if the Borough could put a sign somewhere on the building to mark the name of the hall. Ms. Miller said she would look into getting a sign made for the social hall.

F. Recreation Programming and Community Welfare – Mr. Panza

1. Mr. Panza stated that the Recreation committee had met to discuss the pool hours of operation and the pricing for this upcoming season. After looking at comparisons, it was recommended by the committee that the pool hours be extended until 8:00 pm, and that prices stay the same as they were last year. Mr. Panza said that he would like to open it up for discussion with the other members of Council.

Mr. Lindsey said he had a concern regarding the amount charged to rent the pool for the evening. He said that based on the cost of keeping the lights on and paying the lifeguards for extra hours, the Borough was most likely losing money for private rentals.

Ms. Barron asked if Council had considered allowing non-residents to have access to daily passes to the pool this year. Mr. Panza explained that non-residents were welcome to purchase a season pass if they were interested in using the Wilson Park Pool. Ms. Barron stated that with the non-resident season pass rates, the Borough was excluding many non-residents who don't have access to a pool in their neighborhood, but do not have the means or ability to purchase a season pass. She said that the pool should be a public pool that is open to all, not just Green Tree residents. Mr. Romanovich stated that the Wilson Park Pool is not a public pool, and that Council's responsibility was to the Borough's residents, first and foremost.

Mr. Panza noted that a non-resident could also come to the pool with a resident if a guest pass was purchased. Ms. Barron stated that there are many people who would like to come to the pool for the day but do not have residents that are able to take them to the pool. Council continued to discuss pool passes, and the overcrowding that used to occur when the pool was open for non-residents to buy daily passes.

Mr. Rea stated that there were other pools in the area that people outside of Green Tree could attend if they were looking for a public pool and were not interested in purchasing a season pass for the Wilson Park Pool. Ms. Barron noted that she was disappointed that Council would not consider opening the pool up to more members of neighboring communities. Mr. Panza suggested that if people in neighboring communities had an issue with their pool situation, they should be discussing the issue with their elected officials.

Ms. Barron said that there were a number of residents that would be disappointed to hear that the Borough would not be offering more options for non-residents. Mr. Panza suggested that if there were any major concerns that they should be brought up during the Hearing of the Citizens portion of the meeting in May before the fees were voted on, as Council is interested in doing what is best for the community.

Mr. Rea said that he had been asked if the Borough was considering re-instating the fee to allow pool users to leave their chairs overnight. Mr. Panza stated that he felt that the policy should be re-instated.

Ms. Miller asked if the pool was going to be open until 8:00 pm seven days a week. Mr. Rea stated that the pool hours would be contingent on staffing. Mr. Romanovich said that there were concerns from citizens regarding the later pool hours, because the swim team has their practices after the pool is closed. Mr. Panza noted that before the pandemic the pool was open until 8:00pm, so extending the hours should not be a major issue.

2. Mr. Panza stated that his committee would need to meet before the May Council meeting to discuss and interview the candidates for the Recreation Board.
3. Mr. Rea said that there has been some interest in re-instating the junior councilperson position. He asked if the junior councilperson fell under a specific committee. Mr. Panza stated that the position had been under the Recreation committee in the past. Mr. Rea noted that the position would need to be re-worked to create structure around the position, to ensure that the junior councilperson would have a purpose for attending Council meetings.

PRESIDENT'S REPORT – Mr. Tintori

- A. Mr. Tintori stated that after he was appointed as President of Council, he started looking at the agenda and realized there were several items in the ordinance that needed to be changed or removed. He suggested that the agenda list the business items at the beginning of the meeting, to allow the public to hear the ordinances and resolutions first. After the Borough business was completed, then each Council member, along with the Mayor and Borough Manager, would have the opportunity to discuss any other business relating to their committees.
- B. Mr. Tintori said that he had attended the Local Government Academy graduation that was held the past week. He congratulated Ms. Barron, Mr. Turocy, and Mr. Romanovich for taking the course and graduating. He noted that every member of Green Tree Borough's Council has taken the LGA course.

MANAGER'S REPORT – Ms. Miller

- A. Ms. Miller reported that Gannett Fleming was in the process of preparing the preliminary engineering designs for the Trumbull Drive Bridge project and should be ready to give a presentation to Council at the May 2nd meeting. The goal of the meeting is for Council to select a design so Gannett Fleming can begin developing the formal specifications for the project. Once Council receives cost certifications, Ms. Miller stated that she would be able to begin applying for grants to help pay for a portion of the bridge project.
- B. Ms. Miller said that the DCED peer review was ongoing, for both the Public Works department and the Administrative Office.
- C. Ms. Miller stated that the DEA was partnering with Green Tree to host a Drug Takeback Program. This program is being held on Saturday, April 30, from 10 am until 2 pm in the Municipal Center parking lot.
- D. April 14 is the deadline for applications for part-time summer jobs in Green Tree, including openings for Public Works, lifeguards, concession stand workers, and recreation program counselors. Ms. Miller noted that the rates for these positions had been raised from previous years, making for some great opportunities for residents looking for part time summer work in the community.

ADJOURNMENT**Motion:**

Mr. Panza made a motion, seconded by Mr. Lindsey, to adjourn the meeting at 8:55 pm.

Motion carried unanimously.

Arthur Tintori, President

Judy Miller, Borough Manager