

**BOROUGH OF GREEN TREE
COUNCIL MEETING
JULY 12, 2010
125th Anniversary Commemorative Meeting**

Call to Order / Pledge of Allegiance

Green Tree Borough Council met on Monday, July 12, 2010 at 7:30 p.m. at the Green Tree Municipal Center, 10 West Manilla Avenue, Pittsburgh, Pennsylvania. Mr. Sampogna called the meeting to order using the gavel made from the original sycamore tree that stood outside the former Greentree Inn on Greentree Road and was the tree that gave Green Tree its name.

Roll Call

Members Present:

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

Also Present:

W. David Montz, Borough Manager
Deborah N. Gawryla, Stenographer

Absent:

Janine Palmer

COMMUNITY PRIDE PRESENTATIONS

A. State Senate Presentation - 125th Anniversary - State Sen. Wayne Fontana

Senator Fontana read a citation presented from the State Senate that would be formally presented to Green Tree Borough at the Gala on Saturday, July 17:

"I am here today to congratulate Green Tree Borough, Allegheny County, on its 125th anniversary, which is on July 14, 2010, and extend best wishes for a future complete with ever-increasing success and service to the community.

Whereas, established on July 14, 1885, Green Tree Borough derived its name from a sycamore tree that stood along the present day Greentree Road, and,

Whereas today's Borough was known by many different names, including Peters Township of Washington County (1781-1788), St. Clair Township of Allegheny County (1788-1805), Lower St Clair (1805-1851), Chartiers (1851-1860), Kirkpatrick (1860-1861), and Union (1861-1885), and,

Whereas, during colonial times that the tree that Green Tree is named after, served as a mail drop, modern day Greentree Road roughly followed the path of Native American trail that George Washington used during the mid-1750's while searching for a more direct route between Fort Pitt and Fort Henry in Wheeling, West Virginia, and,

Whereas, Green Tree's sycamore also served as a stagecoach stop and popular meeting place during its tenure as the Borough's landmark. Today the Borough's landmark is a 180-foot tall water tower that was erected in 1952, and,

Whereas, in the mid-1880's, the people of the area, many of them farmers, wanted to create an independent Borough. The new Borough covered 2.1 square miles, and,

Whereas, today's Green Tree Borough has a population of approximately 4,363 residents from its upscale residential area to its thriving business and commercial districts, many hotels, and two of Pittsburgh's major office parks, Green Tree is a place to live, work and play.

Therefore, be it resolved that I recognize Green Tree Borough on this momentous occasion and join the Borough, its officials and residents in their celebration, congratulating each one of them on this milestone and wish all involved another 125 years of success. Congratulations!"

The audience applauded.

B. 125th Anniversary Balloon Launch Winners:

Aiken Elementary School - Molly Cicco & St. Margaret's of Scotland - Jewel Hurte

Mr. Sampogna introduced Mrs. Marilyn Albitz, Chairman of Green Tree's 125th Anniversary Committee to present the awards. The committee had held a balloon release in March to kick off the 125th Anniversary Celebration. Students at Aiken and St. Margaret's Schools released balloons with contact information for each student. The student's balloon from each school that traveled the farthest, from the contact information returned, were being awarded prizes.

Mrs. Albitz stated that they had launched 502 balloons and received a total of 17 replies in addition to an e-mail yesterday from someone who stated that they had found four balloons. The balloons had all traveled to the east of Pennsylvania. A search-and-rescue retriever who was in training found one of the balloons and a photo of the dogs and their trainers was sent to Green Tree. Another balloon was recovered in a farmer's field and he sent a photo of him, his plow and his black lab that helps him plow.

Mrs. Albitz said that the farthest balloon response was from Perkasio, Pennsylvania, located north of Wilmington, Delaware, where the second farthest balloon had been recovered. The farthest balloon traveled a distance of approximately 243 miles.

Mrs. Albitz present Miss Molly Cicco from Aiken Elementary with a gift certificate from Barnes & Noble Booksellers for the farthest balloon distance reported. The winner from St. Margaret's was not in attendance.

C. Resolution #1137 - Honoring the 125th Anniversary of the Borough of Green Tree Motion:

Mr. Panza made a motion, seconded by Mr. Behanna, to adopt Resolution #1137, honoring the 125th anniversary of the Borough of Green Tree.

Mr. Panza read the resolution as follows:

"Whereas, 125 years ago, on July 14, 1885, the Borough of Green Tree was created from the then-existing Union Township, and

Whereas the spirit that built and sustained our community reflects the energy which has forged Green Tree into a community held together by fellowship and good will, and,

Whereas 125 years of fine tradition and community spirit pays tribute to the hard work and dedication of countless citizens who have contributed to Green Tree's past while anticipating continued success in the future, and,

Whereas the reputation of the Borough of Green Tree as a vibrant community evolved from its early resident farmers who embodied the American virtues of strength, integrity and vision has continued over the last 125 years to attract residents committed to enhancing the quality of life in our community.

Now therefore be it resolved that Green Tree Borough Council and Mayor Hammer hereby salute all residents, past and present, for 125 years of community pride and extend their sincere thanks to the countless volunteers who give so freely of their time and energy to make the Borough of Green Tree one of the premiere communities in the state of Pennsylvania to live, work and play.

Adopted this 12th day of July 2010."

Roll Call Vote

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

Motion carried unanimously.

D. Recall of Minutes: September 8, 1885

Mr. Sampogna read some of the original minutes from the first year of Green Tree's inception. He noted that the Borough was chartered on July 14, 1885 and an election was held in September 1885 with the following notice of election:

"By virtue of a decree and pursuant to an order of the County of Allegheny incorporating the Borough of Green Tree, an election was ordered to be held in a public schoolhouse on the first day of September, A.D., 1885, and was presided over by the following officers appointed by the said court: Judge - Uliah Kerns, Inspectors - Daniel Dougherty and Felix Rogers.

In said election, the following officers were elected: Burgess: Reverend Shore. Councilpersons: William Chess, David Dougherty, Bernard Rogers, Peter Siebel, Peter Portman, and Benjamin Ford. Judges: James Halls, Uliah Kerns, and Adam Reingrover. Town Constable: McCarthy."

Mr. Sampogna said that the election was on September 1, 1885 and the first meeting was held on September 8, 1885. Burgess Shore administered the oath of office to the new town council. They continued to meet each week from September through December. One of the first orders of business was to purchase Washington Pike, now Greentree Road. Mr. Sampogna detailed several of the first items of business addressed by the town council. One of the first purchases was a Borough seal for official business costing \$6.25 and made of cast iron. Mr. Sampogna said that tonight's resolution honoring Green Tree's 125th anniversary would be sealed with the first seal.

APPROVAL OF THE MINUTES

June 7, 2010 and June 14, 2010

Motion:

Mr. Behanna made a motion, seconded by Mr. Tintori, to approve the minutes from the June 7, 2010 and June 14, 2010 Council meeting as presented.

Motion carried unanimously.

HEARING OF THE CITIZENS

Jeff Natale, 895 Cherry Street

Mr. Natale said that the back of his home is situated close to a hillside and abuts a home at a higher elevation on Greentree Road. An addition was recently built onto the Greentree Road home and runoff from this property has been draining down the hillside, onto Mr. Natale's property and into his house. He said that there needs to be an alternate way to redirect storm water runoff. The mandate requiring residents to remove downspouts that are connected to the sanitary sewer system and redirecting the runoff so that it drains into yards and nearby homes is creating problems throughout the Borough.

Mr. Natale mentioned other residents who had been required to remove their downspouts from the sanitary sewer system and the various water problems that have occurred. He asked for Council's help in addressing the ongoing problem of water runoff as a result of the

removal of downspouts from the sanitary sewer system. He said that Green Tree is a community with many hillsides and this increased runoff will be a continual problem.

Mr. Sampogna said that there were 24 reports of flooding issues during June. In five cases, ordinance violations were issued and Mr. Natale's area had been one of the places where a violation had been issued. Mr. Sampogna suggested that the ordinance that covers the redirection of runoff water should be reviewed. Mr. Montz said that the ordinance is part of the building code and the building code states that water cannot be redirected onto someone else's property, which was the case in this instance. However, a drainage pipe is acceptable if the pipe is not on another's property although this can sometimes put more water down a hillside. It solves one problem, but creates another problem.

Many of the flooding problems that have occurred recently are the result of the heavy winter snows that elevated the water table, followed by heavy, violent summer storms. Discussion continued regarding the Borough's water problems over the past few months.

Mr. William Korey, 147 Parkedge Road

Mr. Korey said he had come before Council a month ago regarding the truck jake-braking problem along the Parkway. He said that he had recently read an article about Industry, PA getting permission to place "Brake Retardant Prohibited" signs along their highways. He asked Council to look into how Industry managed to get permission for these signs and see if Green Tree could do that same. Mr. Korey said he had spoken to local representatives who informed him that they had sent his issue onto PennDOT. He asked Council to take action on this noise issue.

Mr. Sampogna said that State Representative Matt Smith wrote a letter on July 8th to the PennDOT District Engineer of District #11 and attached the Borough Manager's letter regarding the same issue. The Parkway is a state highway, but Mr. Sampogna said that the Borough will look into what Industry, PA has done.

Sue Suhy, 165 Parkedge Road

Ms. Suhy said she was representing a number of her neighbors on Parkedge Road who have had a number of problems with their electric going off frequently. She said that she had submitted a letter to Council, along with a petition with 42 signatures from residents who have had problems with their electric service. She asked for Council's help in getting Duquesne Light to do something to correct this problem.

Ms. Suhy said that besides the inconvenience, there is a resident in the area who recently had open heart surgery as well as another resident who recently returned home from hospice who was unable to readjust his home hospital bed without electric.

Ms. Suhy said that the loss of electric is a frequent occurrence in this section of Parkedge. A number of residents have contacted Duquesne Light, but the utility company has never addressed it. Mr. Montz said that he contacted several Duquesne Light officials who said that the problem has been sent to Duquesne Light's Operation Department. Mr. Montz felt that the transformers in this area might not be large enough to handle peak demand. He said that if Duquesne Light does not respond to this issue by the end of the week, the Borough would contact the PUC on the residents' behalf. A resident from Sheldon Avenue said she had the same problem for years. Discussion continued regarding electric service in the area.

Carl Dupper, 160 Parkedge Road

Mr. Dupper agreed that there is a problem with the electric service along a portion of Parkedge that effects approximately 20 homes. He said there are number of elderly residents in that area who rely on electric for their medical needs.

Marilyn Albitz, 1061 Greenlawn Drive

Mrs. Albitz said that tickets for this Saturday's Gala are \$25 and should be purchased by Wednesday. Additionally, 125th anniversary commemorative ornaments are on sale at the Municipal Center Office for \$10 each.

James Moorhouse, 116 Parkedge Road

Mr. Moorhouse said he has dealt with Duquesne Light on several occasions and discovered that he has 130 volts of electricity coming into his house, but most electronic equipment requires only 115-120 volts. This higher voltage will wear out electronics faster. A Duquesne Light subcontractor recently informed him that the transformers on Parkedge are old and do not always function properly, but the electric company does not want to replace them until they break completely. Mr. Sampogna said that 130 volts is within specifications and the tolerance of what is permitted. Electric and voltage discussion continued.

Mrs. Debbie Welch, 129 Parkedge Road

Mrs. Welch said that her husband is severely disabled and got stuck in his chair during the last power outage for over an hour until she could get home. Mr. Montz said he would inform Duquesne Light of the importance of good electric service in this area because of the number of disabled residents who live on Parkedge.

MAYOR'S REPORT - Mayor Hammer
Proclamation - Grottoes of North America

Mayor Hammer read the following proclamation:

"Whereas, the Islam Grottoes Foundation provides continuous support of the positive work in the fight against Cerebral Palsy and Muscular Dystrophy. While the Grotto also sustains the important efforts in helping mentally challenged special needs children, the dental care of organ transplant children and the children afflicted with cleft pallet disfigurement.

Whereas the Grotto has donated over \$100,000.00 to the University of Pittsburgh Dental School to help new dentists treat mentally challenged and special needs children,

Whereas the Islam Grotto is hosting the 120th Session of Supreme Council of the Grotto of North America at the Green Tree Radisson Hotel from June 27 through July 3, 2010.

Whereas, I, C. F. Hammer, welcome the Grottoes of North America, with Grand Monarch Shawver presiding, and congratulate all its members for the outstanding humanitarian service provided to those children afflicted with dental disorders.

Witnesseth that by virtue of the power vested in me, I, C. F. Hammer, Mayor of the Borough of Green Tree in the State of Pennsylvania, declare June 27 through July 3, 2010 Grottoes of North America Week."

REPORT OF BOROUGH COUNCIL COMMITTEES

A. FINANCE - Mr. Behanna

1. Motion:

Mr. Behanna made a motion, seconded by Mr. Tintori, to ratify the actions of the Borough Manager in paying the June 2010 General Fund EFT payments totaling \$19,316.10, Capital Projects Fund totaling \$18,454.41, Health Care Fund totaling \$1,331.70, Payroll Account totaling \$198,397.39, Educational

Service Agency totaling \$4,545.41, and other bills on the bill sheet totaling \$48,938.15.

Motion carried unanimously.

2. **Motion:**

Mr. Behanna made a motion, seconded by Mr. Tintori, to approve payment of the July 2010 invoices from the General Fund totaling \$161,286.83, Capital Projects totaling \$82,980.52, and the 2002/2009 Sanitary Sewer Bond totaling \$2,470.00.

Motion carried unanimously.

B. PLANNING & ZONING - Ms. Palmer

1. **SD-01-10**

Applicant, Otto Gigante, owner of property at 29 Hillcrest Avenue, requesting approval from Council regarding the subdivision of his property located at the corner of Hillcrest Avenue and Elmhurst Road.

Mr. Schenck stated that the Green Tree Planning Commission reviewed the application at their June 23rd meeting and voted unanimously to recommend this subdivision to Council including all the corrections made to the deed to the property. Mr. Schenck detailed the proposed subdivision of the property and determined that all the lots in the subdivision were buildable lots.

Motion:

Mr. Schenck made a motion, seconded by Mr. Behanna, to approve SD-01-10 from applicant, Otto Gigante, owner of property at 29 Hillcrest Avenue, regarding the subdivision of property located at the corner of Hillcrest Avenue and Elmhurst Road.

Motion carried unanimously.

2. **Appointments to Planning Commission**

Mr. Schenck said that Ms. Palmer had requested that this item be tabled until Ms. Palmer could attend the meeting.

Motion:

Mr. Schenck made a motion, seconded by Mr. Tintori, to table appointments to the Green Tree Planning Commission at the request of Ms. Janine Palmer, Chair of the Planning & Zoning Committee of Council.

Motion carried unanimously.

3. **City Vista Development**

Mr. Montz stated that the City Vista apartment complex is coming before Planning Commission later this week. He has met with the developer and discussed traffic issues as well as a number of other development issues. It is anticipated that Planning Commission will make a recommendation on the site plan this month and it will come before Council at the August 2nd meeting.

C. PUBLIC PROPERTY & EQUIPMENT - Mr. Tintori

1. **General Report**

Mr. Tintori had the following notes to pass along to residents:

- (a) The pool is doing well this summer and attracting lots of residents.
- (b) Residents should take note of the beautiful flowers throughout the Borough.
- (c) Green Tree's first-ever Concert in the Park was a success.
- (d) The new banners are up along Greentree Road.
- (e) The Borough is working on finding a replacement for Duquesne University for the baseball field.

D. PUBLIC SAFETY - Mr. Schenck

1. Ordinance #1644

Amending parking regulations on Leon Drive and Rothesay Avenue

Mr. Schenck said that the ordinance would permit two-hour parking on Leon Drive on the 7-Eleven side of Leon Drive. Parking will now be permitted on Rothesay Avenue past the park.

Motion:

Mr. Schenck made a motion, seconded by Mr. Behanna, to place Ordinance #1644 on first and final reading by title only.

Motion carried unanimously.

Mr. Montz read Ordinance #1644 by title only.

Motion:

Mr. Schenck made a motion, seconded by Mr. Behanna, to pass Ordinance #1644 on first and final reading by title only.

Roll Call Vote

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

Motion carried unanimously.

Motion:

Mr. Schenck made a motion, seconded by Mr. Behanna, to authorize the proper officers to sign Ordinance #1644 and that it be advertised according to law.

Motion carried unanimously.

- 2. Mr. Schenck reported that the police and the Borough were unable to come to an agreement regarding the police contract so it will go to arbitration under Act 11 on July 20th.
- 3. Mr. Schenck said that the Public Safety Committee would be meeting on Wednesday, July 14 at 7:00 p.m. to discuss several issues.
- 4. Mr. Sampogna asked if Mr. Schenck had any information on the mutual aid agreement with the City of Pittsburgh. After a discussion, Mr. Montz felt that this could be an issue for the CONNECT program to create a comprehensive mutual aid agreement. Discussion regarding mutual aid agreements continued and Mr.

Schenck asked Mr. Montz to pull the South Hills mutual aid agreement to be discussed at Wednesday's Public Safety Committee hearing.

E. RECREATION & COMMUNITY AFFAIRS - Mr. Panza

- 1. Mr. Panza thanked the 125th Anniversary Committee for the great job they have done so far. He urged residents to purchase tickets for Saturday's Gala at the Green Tree Radisson. Another Concert in the Park band concert is scheduled for Friday, July 23rd at 7:30 p.m.

F. STREETS & PUBLIC HEALTH - Mr. Novak

- 1. **Resolution #1138**
Street Sweeping Agreement

Motion:

Mr. Novak made a motion, seconded by Mr. Behanna, to adopt Resolution #1138, a street sweeping agreement with the state.

Mr. Montz read Resolution #1138 by title only.

Roll Call Vote

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

Motion carried unanimously.

- 2. **Bid Award - 2010 Road Paving Program**

Motion:

Mr. Novak made a motion, seconded by Mr. Behanna, to award the bid for the 2010 road paving program to A. Folino Construction Company at a cost of \$208,976.90.

Motion carried unanimously.

- 3. **Ratify Emergency Repairs to Storm Sewer at 1220 Glencoe Avenue**

Mr. Novak reported that a storm sewer had collapsed in the area of 1220 Glencoe Avenue and emergency repairs were necessary.

Motion:

Mr. Novak made a motion, seconded by Mr. Behanna, to ratify emergency repairs to the storm sewer at 1220 Glencoe Avenue at a cost of \$38,000.00.

Motion carried unanimously.

- 4. **Resolution #1139**
Handicapped Access Ramps for 2011

Motion:

Mr. Novak made a motion, seconded by Mr. Tintori, to adopt Resolution #1139 for handicapped access ramps in the amount of \$10,400.00.

Mr. Montz read Resolution #1139 by title only.

Roll Call Vote

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

Motion carried unanimously.

LIAISON REPORTS**1. MRTSA - Mr. Montz**

Mr. Montz had nothing to report at this time.

2. Char West COG - Mr. Novak

Mr. Novak reported that the June COG meeting had been held in Cresson Township. The Cresson Police Department reported that they would be hiring five part-time police officers. The guest speaker at the meeting was Greg Fagt, Chairman of the Pennsylvania Gaming Board, who discussed how revenue from the casinos can help property owners with their school taxes.

3. Library - Mr. Sampogna

Mr. Sampogna said that the proposed formula for RAD funds has been approved for 2011. It is anticipated that Green Tree Library will get an increase in RAD funds over what was received in 2010. However, the state budget that was recently passed resulted in a reduction of funds for libraries although he did not have exact numbers yet.

The library will be holding its annual book sale in September and details will be forthcoming.

PRESIDENT'S REPORT - Mr. Sampogna

1. Mr. Sampogna stated that the Borough is still in the comment period for the Comprehensive Plan. He encouraged residents to review the comprehensive plan on the Borough's website, or look at hard copies at the Municipal Center Office and the library.
2. PennDOT is conducting an on-line public safety survey at www.drivesafepa.org. Mr. Sampogna encouraged residents to take part in the survey on topics such as impaired driving, seat belts, speeding, etc.
3. Mr. Sampogna said that he, Mr. Montz and Ms. Palmer had attend the CONNECT Congress, a group of municipalities that share a border with the City of Pittsburgh. Discussion included how the Port Authority's deficit would increase as a result of keeping I-80 toll-free.

Another topic discussed at the CONNECT Congress was a study of EMS services in the City of Pittsburgh and surrounding communities. The revenues and costs of these services were discussed along with the possible development of a more structured method for funding EMS services in the Great Pittsburgh area.

SOLICITOR'S REPORT - Mr. Molinaro

In the absence of Mr. Molinaro, there was no Solicitor's Report this evening.

MANAGER'S REPORT - Mr. Montz

1. Mr. Montz stated that as part of Act 32, requiring the collection of earned income tax (EIT) through a regional collection system in 2012, municipalities have been asked if they wish to form their own tax collection agency or contract out. Early on, the Borough felt it should contract out, and after reviewing several agencies, the Borough has recommended Jordan Tax Service.
2. Mr. Montz suggested that Council continue with its tour of properties on July 26.
3. Mr. Montz said that after discussions with the Finance Committee, he was anticipating an ordinance coming before Council shortly regarding the capping of some business privilege taxes. He anticipated that the Borough's business privilege tax revenue will be going down considerably. Business privilege taxes are the second largest tax resource to Green Tree Borough.

ADJOURNMENT

Motion:

Mr. Panza made a motion, seconded by Mr. Behanna, to adjourn the meeting at 9:00 p.m.

Motion carried unanimously.

Mark Sampogna, President

W. David Montz, Manager

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