

**BOROUGH OF GREEN TREE  
COUNCIL MEETING  
AUGUST 6, 2018**

**Call to Order / Silence for Meditation / Pledge of Allegiance**

Green Tree Borough Council met on Monday, August 6, 2018 at 7:30 p.m. in the Green Tree Municipal Center, 10 West Manilla Avenue, Pittsburgh, Pennsylvania. Mr. Sampogna reported that Council had met in Executive Session prior to this meeting to discuss personnel matters regarding the Public Works Department.

**ROLL CALL**

**Members Present:**

Edward Schenck, Mayor  
Mark Sampogna, President  
Rino Lindsey  
David Lorenzini  
John Novak  
Ron Panza  
David Rea  
Arthur Tintori

**Also Present:**

W. David Montz, Borough Manager  
Peter Molinaro, Jr., Borough Solicitor  
Colin Cleary, Chief of Police

**APPROVAL OF THE MINUTES**

**July 2, 2018**

**Motion:**

**Mr. Tintori made a motion, seconded by Mr. Novak, to approve the July 2, 2018 Council minutes as presented.**

**Motion carried, with Mr. Rea and Mr. Lindsey abstaining because they had not attended this meeting.**

**HEARING OF THE CITIZENS**

**John Lutz, 1014 Avacoll Drive**

Mr. Lutz stated he had lived on Avacoll for 65 years. Several years ago his neighbor wanted a privacy barrier and planted bamboo. The bamboo is now over 30 feet high and covers Mr. Lutz's entire back yard. It is now approaching another resident's back yard as well. It is very invasive and would take a lot of work to remove it from several properties.

Mr. Lutz said that he had never seen a rat in Green Tree until this year when rats have started nesting in the bamboo. He would like Council to take a look at these issues. If the bamboo can be removed entirely, Mr. Lutz said he would be willing to pay his share of the cost, but all the homeowners in the area that are impacted by the spread of the bamboo should have to contribute to the cost of its removal. It would have to be a consolidated effort to remove all the bamboo so it does not continue to spread again.

Mr. Sampogna said the borough would take a look into this issue.

**Bob Flowers, 98 Ringold Avenue**

Mr. Flowers said his home is at the corner of Ringold and Churchill. He would like to install solar panels on the roof of his garage, but was told that he would need to apply for a variance in order to do so. He was told that all those who have applied for a variance to install solar panels have been approved and he wondered why this was not permitted. Mr. Flowers said he wanted to get the tax

credit for installing solar panels. He said that the borough has solar panels at the pool and the fire station on a solar panel on a pole near the sidewalk. Mr. Flowers felt that was worse than installing solar panels on a roof.

Mr. Sampogna stated that the borough's entire zoning ordinance has been under review for a number of years. The solar ordinance is part of the zoning revisions and to approve it piecemeal would create a patchwork zoning ordinance. When asked, Mr. Lorenzini anticipated the review of the revised ordinance is close to being completed. However, there are a number of other approval steps that must be taken with a public hearing and a review by Allegheny County.

**Ian Smith, EIS Solar, 2121 Noblestown Road, Suite #222**

Mr. Smith said that EIS Solar is a growing company with 30 employees and provides hundreds of solar installations each year. Mr. Smith said the company would like to do more work in Green Tree Borough and has been contacted by a number of residents who are discouraged by Green Tree's solar ordinance. EIS Solar works in many different municipalities, but has found Green Tree to be one of the more difficult places to go solar. Mr. Smith said he wanted to make Council aware of this problem and hoped that the zoning could be updated soon to make it easier to allow solar installations without requiring a variance or going through other obstacles. Solar has added value to homes and can bring economic value to the community.

**Lisa Shea, 8 Elmhurst Road**

Ms. Shea thanked the borough for the help received during the recent flooding. She said that Mr. Montz had met with Ms. Shea's and her neighbors at her request. She apologized for getting a little heated and emotional at the meeting. She explained that she had just finished renovating another house she owns on Elmhurst and had just moved in when the flooding occurred. She had three feet of water in the basement and had to purchase a sump pump. She learned that the sewer line had been compromised and additional work needed to be done.

Ms. Shea said she realized that the storms have been more frequent and stronger, but some of the storms have resulted in two inches of water on the street to the tops of the curbs. Ms. Shea said these types of storms are repeatedly coming close to flooding her driveway and her house once again. She expressed concern about the possibility of her property value decreasing. Some of the panels in her basement show mold and seem to indicate that this has been a recurring problem. Fortunately, some of the other recent storms have resulted in the water receding without flooding.

Ms. Shea said that the sewer infrastructure was built in the 1940's and no one could have anticipated Green Tree being the way it is now. Green Tree keeps growing, but the 1940's sewers are unable to keep up with the growth. Other communities are addressing these types of issues and she hoped Green Tree would follow suit. The 100-year storms will be happening a lot more often with heavier summer storms, winter snow, and rain. She hoped that the borough would work with her to find a solution.

**Irving Firman, Tucker Arensburg Attorneys**

**Mit Patel, Crown Plaza Hotel**

Mr. Firman said he and Mr. Patel had discussed some zoning issues and changes with borough officials. He represents Mr. Patel and said that they have interest in two items in the revised zoning ordinance: senior living/assisted living parking requirements and hotel parking requirements. The current zoning ordinance requires 1.5 parking spaces per room for a hotel. Mr. Firman said that average number of parking spaces per room for a hotel nowadays is 1.1 parking spaces per hotel unit. He asked that the parking requirements be revised sooner than the

passage of the entire revised zoning ordinance since Mr. Patel is under time constraints to rehabilitate the property and do some development. If these issues are not resolved for Mr. Patel, his financing could be in jeopardy. Mr. Firman asked Council to consider changing these zoning items as separate issues from the passage of the entire revised ordinance.

Mr. Patel asked that Council attempt to initiate these changes in order to allow him to make improvements to his property in Green Tree. Mr. Patel said he was looking to construct a senior living development as well as possibly adding a hotel. If it takes too long to get the parking requirements changed, it could create problems with the financing for this project.

**MAYOR'S REPORT - Mayor Schenck**

- A. Mayor Schenck said he had held open office hours and had spoken to Mr. Flowers at that meeting. Mayor Schenck suggested that perhaps Council could aim to pass the revised solar ordinance by itself at the October meeting. The solar ordinance could be a stand-alone ordinance. There have been a number of recent Zoning Hearing Board meetings for variances to allow solar panels, all of which have been granted. The tax credit for solar panel installations is also a driving force in the increase of people interested in installing solar panels.
- B. Mayor Schenck said a resident had asked him about the status of the Nature Center and had noticed the trees and the trails that needed some attention. Mayor Schenck said that someone had been hired to address the trees. The resident that had spoken to Mayor Schenck indicated that he and a few others would be interested in helping with the clean up.

Mr. Rea stated that the Code Enforcement Office, Mr. Gregg Earley, is in the process of scheduling a clean up day for the Nature Center in September. Mayor Schenck said he would give Mr. Earley the names of the people who he had spoken to who are interested in helping clean up the Nature Center.

- C. Mayor Schenck said the 4th of July Celebration was a success and he was one of the officials who took a turn in the dunk tank, along with Chief Cleary.
- D. Mayor Schenck attended the Senior Citizens' Picnic that was well attended. Ms. Jen Mathie, Recreation Director, did a good job in preparing the picnic. There were over 130 people in attendance.
- E. Mayor Schenck attended the Green Tree Firemen's' Picnic, which was a nice event.

**REPORT OF BOROUGH COUNCIL COMMITTEES**

**A. PUBLIC SAFETY - Mr. Lindsey**

- 1. **Authorize agreement with Scott Township for the purpose of utilizing the Township's lock-up facilities.**

Mr. Lindsey stated that the borough had used Dormont's lock-up facilities for a number of years, but Dormont had notified the borough that they were no longer going to offer that service. Mr. Montz said he had discussed the issue with Scott Township and arrived at the agreement that is currently before Council.

**Motion:**

**Mr. Lindsey made a motion, seconded by Mr. Rea, to authorize the proper officers to execute the agreement with Scott Township for the purpose of utilizing Scott Township's lock-up facilities.**

Mr. Lorenzini asked if there was a cost difference in utilizing Scott Township's lock-up facilities. Mr. Montz replied that it would be approximately \$300 cheaper with Scott.

**Motion carried unanimously.**

2. Mr. Lindsey said the Fire Company had held a fundraiser for the family of one of the firefighters' family on July 14th. He thanked Mr. Montz, Mr. Lorenzini, Mr. Rea, and Mr. Novak for their support during that event.
3. The Green Tree Volunteer Fire Company's annual Sportsman's Bash is Saturday, September 8. Tickets are available.

**B. STREETS & PUBLIC HEALTH - Mr. Novak**

**1. Update on emergency repair work for the Trumbull Drive Bridge**

Mr. Novak reported that one floor beam on the Trumbull Bridge is cracked. The borough is in the process of getting estimates for the repair. It is considered an emergency repair, but bids may be needed. A railroad flagman will be needed as part of the repairs since the bridge goes over the rail line.

Mr. Lorenzini asked if the bridge would be repaired or replaced. Mr. Montz replied that the borough has six months to do the emergency repair work or a weight limit would be imposed on the bridge, which could impact the Trumbull Drive businesses. All the beams will be replaced to avoid the chance of another beam cracking in a few years. Once the repairs have been made the borough will look at a long-term solution to replace the bridge. Mr. Montz said he has been trying to get in touch with representatives from PennDOT and the Department of Economic Development to obtain some short-term monies to help with the repairs. The painting will also be touched up.

2. Mr. Tintori said that the area of Churchill/Ringold/McKenna has become the temporary alternate route for vehicles while Poplar is closed for the gas line work. He appreciated the extra police visibility in the area. Mr. Sampogna said that Mansfield Avenue was supposed to be the designated detour while Poplar was closed. Mr. Montz said he has a scheduled meeting tomorrow with PennDOT at the gas line site. The signage will be changed and moved. The Churchill/Ringold/McKenna area will not be used as a detour.

Mr. Novak reported that the gas company has started the work on moving the 16-inch gas line near the Poplar Avenue sewer project. It should take approximately two weeks. Once the gas line has been moved, the storms sewer project will begin, followed by the repaving of Poplar Avenue.

3. Mr. Montz said that he understood Ms. Shea's situation with the flooding problem. It is disturbing when residences are flooded. The borough is looking at what it can do and laid out a plan. Some of the flooding came up through the sanitary sewer system and the borough does not know at this time why this occurred. The borough is adding a monitoring system to the sewer so it can begin analyzing why the water level is fluctuating or even if it is actually fluctuating during storms. This will provide more detailed data. The roadway on Elmhurst was already scheduled to be modified because of another neighbor across the street who had suffered some flooding problems for several years. The street currently floods at this time because it has been ground below the sewer level.

Mr. Montz said the borough is also considering adding backflow preventers to the individual homes' sanitary sewer systems. The borough can only do this as a temporary mitigation to

prevent potential health hazards. The borough is working with the Solicitor on an agreement that the residents would have to sign that says they cannot use their facilities during a storm in order to avoid a backup. The sewer lines in this area have been videoed and no obstruction was found. Every home in the area that contributes to this sewer line will be dye tested again. Mr. Montz said the borough is doing everything it can possibly do at this time, but sometimes it just isn't enough to stop flooding. Mr. Montz said he wants to make every possible attempt to prevent this from happening again and he hoped to have more information in the next few weeks.

Mr. Montz said there is also a flooding problem on McMonagle with a number of homes flooded from runoff from the park. Mr. Montz was unsure why this water flow pattern had changed. He detailed some other flooding issues that have occurred over the summer. Discussion continued regarding repairs that need to be made.

**C. PUBLIC PROPERTY & EQUIPMENT - Mr. Rea**

1. Mr. Rea said that volunteers are needed in cleaning up and clearing the paths in the Nature Center. A date will be selected for sometime in September. Mr. Montz said a date has not yet been selected because there have been no volunteers. If some people volunteer then a date that best suits the volunteers will be determined.

When asked, Mr. Montz said that Hollow Oak Land Trust is still involved with the Nature Center and will map out what needs to be done at the Nature Center. They will be present on the day selected for the Nature Center clean up.

2. Mr. Rea said that stone on the Public Works building has been capped and it looks good. Mr. Montz hoped that this improvement would stop the water problems at Public Works.

**D. FINANCE - Mr. Tintori**

**1. Motion:**

**Mr. Tintori made a motion, seconded by Mr. Lindsey, to ratify the actions of the Borough Manager in paying the July 2018 invoices from the General Fund totaling \$122,240.52, Sanitary Sewer Maintenance Fund totaling \$1,764.20, Capital Projects totaling \$45,030.82, Farmers Market totaling \$309.50, and Payroll Account totaling \$290,155.59.**

Mr. Lorenzini asked about a General Fund check for approximately \$19,000 for the 2017 audit work. Mr. Montz said that the borough currently has a three-year agreement with the auditing firm and he would check on when the agreement ends.

Mr. Lorenzini asked about the Farmers Market reimbursements. Mr. Sampogna replied that residents are now able to use a credit or debit card at the market as well as those using food assistance cards. The card is scanned and the person receives tokens to use at the market with the vendors. At the end of the evening, the vendors turn in the tokens they have received for payment and they are reimbursed that amount. The amount being presented is the total amount to be reimbursed to the vendors. Just Harvest handles the fees for the cards.

Mr. Lorenzini asked about an open invoice for the library retaining wall for approximately \$11,000. Mr. Montz said it was a job that needed to be done for awhile and the contractor just completed the work.

Mr. Lorenzini asked about a Supplement 11 on page 5 for \$1423 for General Code. Mr. Montz replied that it was for the codification of ordinances.

**Motion carried unanimously.**

**2. Motion:**

**Mr. Tintori made a motion, seconded by Mr. Rea, to approve payment of the August 2018 invoices from the General Fund totaling \$568,063.79, Sanitary Sewer Maintenance Fund totaling \$251.18, and Capital Projects totaling \$3,681.00.**

**Motion carried unanimously.**

**3. Ordinance #1793**

**Amending and Restating the Borough of Green Tree Non-Uniformed Employees Money Purchase Plan.**

**Motion:**

**Mr. Tintori made a motion, seconded by Mr. Lindsey, to place Ordinance #1793 on first and final reading by title only.**

**Motion carried unanimously.**

Mr. Molinaro read Ordinance #1793 by title only.

**Motion:**

**Mr. Tintori made a motion, seconded by Mr. Lindsey, to pass Ordinance #1793 on first and final reading by title only.**

**Roll Call Vote**

Mr. Tintori	Yes
Mr. Rea	Yes
Mr. Lindsey	Yes
Mr. Panza	Yes
Mr. Novak	Yes
Mr. Lorenzini	Yes
Mr. Sampogna	Yes

**Motion carried unanimously.**

**Motion:**

**Mr. Tintori made a motion, seconded by Mr. Lindsey, to authorize the proper officers to sign Ordinance #1793 and that it be advertised according to law.**

**Motion carried unanimously.**

**E. RECREATION & COMMUNITY AFFAIRS - Mr. Panza**

1. Mr. Panza said the next Octoberfest Committee meeting would be held on August 13. Octoberfest is scheduled for September 15-16. He asked anyone who wished to volunteer for Octoberfest to attend the August 13th meeting. Octoberfest is a wonderful community event and helps to build a stronger community.
2. Mr. Panza said that the new sidewalk that was replaced by the gas company along Greentree Road looks fantastic. He suggested that the borough thank them for their excellent work. Mr. Montz said the rest of it would be done soon. The borough got the gas

company's cooperation to add the new style of sidewalk with the raised curb even though it cost a bit more.

**F. PLANNING & ZONING - Mr. Lorenzini**

1. Mr. Lorenzini said Planning Commission did not meet during the month of July. The Zoning Hearing Board did meet in July and approved the variance requests for solar panels at 49 Robinhood Road and 120 West Manilla.
2. Mr. Lorenzini distributed a list of items that Council had touched upon that still need to be done in completing the revised zoning ordinance book. Once all the changes have been made, the proposed ordinance must be submitted to Allegheny County for review and a public hearing must be scheduled for Green Tree residents. The revised zoning ordinance is about 95% complete. Mr. Lorenzini detailed some of the items that still need to be addressed.

Mr. Lorenzini asked Council about the number of temporary sandwich boards that should be permitted per business. He felt that perhaps two could be permitted at businesses that had more frontage. Mr. Tintori felt that one per business would be sufficient. Mr. Sampogna said the amount of frontage would have to be defined and he would like a tentative list of businesses that would meet that requirement in order to make an informed decision. Mr. Panza said those businesses with over 1,000 feet of frontage could have two sandwich signs. Mayor Schenck said that sandwich boards are better downtown or other places that have more pedestrian traffic that might stop and read them. In Green Tree, where it is mostly vehicular traffic, he felt that sandwich boards are more of a distraction or hazard to drivers.

Mr. Lorenzini asked Council members to look over his list of items that had not yet been completed, including the sandwich board issue, and consider them before the next review meeting. After a discussion, Council decided that they would tentatively meet to review these zoning ordinance issues on August 20 at 7:30 p.m.

**LIAISON REPORTS**

**A. MRTSA - Mr. Montz**

Mr. Montz reported that MRTSA is currently in negotiations with its paramedics.

**B. Char West COG - Mr. Novak**

Mr. Novak said the COG is working on its 2019 budget.

**C. Library - Mr. Sampogna**

Mr. Sampogna said the Library Board met on July 17 and discussed a study by the Hill Group commissioned by the Regional Asset District (RAD) on a potential for shared services among ACLA libraries. ACLA has written a letter to the RAD Board regarding that study.

The ACLA Librarians Advisory Council (LAC) voted at the its June meeting to fund e-resources, such as ebooks, audio, and e-periodicals at 100% of the formula cap. If ACLA funding remains flat for libraries for 2019, Green Tree Public Library will be invoiced \$3,121 for e-resources in 2019, up from \$1,086 in 2018. Most libraries' cost for e-resources will increase.

The Library Board had discussed possible solutions to the poor website support for the library's website. The library sent out RFP for web hosting and support that will be discussed at the August meeting.

Mr. Rea noted that the library hosted a magic show last week and the room was packed.

**PRESIDENT'S REPORT - Mr. Sampogna**

- A.** Mr. Sampogna and Mr. Lindsey reported that National Night Out, hosted by Chief Cleary and the Green Tree Police Department, would be held tomorrow night, August 7, at 6:30 p.m. at the Green Tree Fire Station. The Green Tree Volunteer Fire Company and MRTSA, along with the Green Tree Police Department will be involved in this event for the community.
- B.** Mr. Sampogna said that he and Mr. Montz met with State Representative Dan Deasy and discussed state road paving on Poplar and Mansfield and the Poplar Street sewer project. Mr. Sampogna mentioned to Rep. Deasy that he would like to see action on the bill for local use of radar. Pennsylvania is the only state that does not allow its local police to use radar.
- C.** Mr. Sampogna said there would be a Culinary Challenge at this week's Farmers Market. Students and an instructor from the Culinary Institute of Pittsburgh will make delicious dishes using Farmers Market ingredients.
- D.** Mr. Sampogna stated that there are three concerts left in Green Tree's Summer Concert Series on Thursdays at 7:00 p.m. at the Green Tree Park Gazebo. This week Lisa J & the Trio will perform, Gum Band performs on August 16, and Hewlett & Anderson perform on August 23.

**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. Lindsey, to adjourn the meeting.**

**Motion carried unanimously.**

---

Mark Sampogna, President

---

W. David Montz, Manager