

**BOROUGH OF GREEN TREE
COUNCIL MEETING
SEPTEMBER 13, 2021**

Call to Order / Silence for Meditation / Pledge of Allegiance

Green Tree Borough Council met on Monday, September 13, 2021 at 7:30 p.m. in the Sycamore Room of the Green Tree Municipal Center, 10 West Manilla Avenue, Pittsburgh, PA 15220. Mr. Sampogna stated that the meeting was being recorded and that Council had met in Executive Session prior to this meeting regarding personnel and legal matters.

Mr. Sampogna noted that the 20th anniversary of the 9/11 attack occurred this past weekend. He asked those attending to remember the nearly 3,000 innocent Americans who lost their lives that day, along with another 7,074 American military and civilian personnel who died in military operations subsequent to that day between March of 2003 and September of this year.

ROLL CALL

Members Present:

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

Also Present:

Judy Miller, Borough Manager
Kate Diersen, Esq., Borough Solicitor
Colin Cleary, Chief of Police
Deborah N. Gawryla, Stenographer

APPROVAL OF THE MINUTES

August 2, 2021

Motion:

Mr. Lindsey made a motion, seconded by Mr. Novak, to approve the August 2, 2021 Council meeting as presented.

Motion carried unanimously.

HEARING OF THE CITIZENS

Thomas Huck, 3317 Crestview Drive, North Versailles, PA 15137

Mr. Huck stated he was a business agent for Teamsters #249. He represents the members of the Green Tree Public Works Department. He said there have been obstacles preventing the members of the Green Tree Public Works Department from receiving a fair contract. They have been in negotiations for six months and the sticking point has been wages. He said that the borough has a surplus of about \$200,000 in the Public Works budget and the union has shown the borough ways to save another \$94,000 in projects. The most disappointing fact was when the lead negotiator for the borough made a comment that the borough would never give the money to the members of Public Works.

Mr. Huck said that the Public Works employees are dedicated professionals and have worked through the entire pandemic. The union is asking for 3% of the surplus, which does not include the project savings of approximately \$94,000. The lead negotiator has told the union that there is no money and then has gone out and hired an attorney stating that the borough will go to fact-finding. This move will cost the borough more in attorney and fact-finder fees. The Public Works

Department employees are looking for a fair contract. He thanked Council for allowing him to speak this evening. Mr. Huck provided copies of the financial information he had referred to and he distributed copies to Borough Council members.

Christine Short, 251 Parkedge Road

Mrs. Short said she has contact the Pennsylvania-American Water Company four times about a water leak somewhere near the corner of Parkedge and Sheldon. It appears to start about four houses up from Mrs. Short's house and continues to leak down into the middle of the road on Sheldon. This leak has been running since at least May and the water company has only been out once to look at it. The leak is beginning to come onto the grass of nearby yards creating muddy patches. Mrs. Short said this leak will start to freeze with colder temperatures and she fears that a vehicle will hit the ice and cause an accident. She asked the borough to intervene if possible since PAWC does not appear to be taking this problem seriously. Mr. Sampogna said the borough would look into this issue.

Don Gaupp, 121 Susan Drive

Mr. Gaupp said he is the steward for Green Tree Public Works. Last year was a trying year for Public Works as well as everyone. Public Works employees had to deal with the public every day last year during the pandemic while other communities were allowing their employees to stay away from the public. Mr. Gaupp said the Public Works employees are seeking a fair deal on their contract for the employees who have been available to the borough every day. Although the employees often hear compliments from the public, they would like to see better appreciation for the jobs they have done.

Robert McWilliams, 109 E. Manilla Avenue

Mr. McWilliams said he asked for a patch repair to be done on the apron at the fire station, but it has not yet been patched. Mr. McWilliams said he would take care of it himself this week if nothing is done to fix the apron. He feared that someone would trip and fall in that area and a patch would help prevent such an accident.

Ms. Miller said she should have followed up on Mr. McWilliams' request for the repair to the apron. She said she would make sure that it would be repaired promptly.

MAYOR'S REPORT - Mayor Schenck

- A. Mayor Schenck said that the Public Works Department does a great job, but said he would not comment on what is fair or not. No one has ever questioned the dedication of the Public Works employees. He thanked the Public Works employees for coming to the meeting.
- B. Mayor Schenck stated that he, along with Chief Cleary, would be holding Mayor's Open Office Hours this Saturday, September 18th from 9:00 to 11:30 a.m. Mayor Schenck said the police department applied for a body camera grant and one of the items on the application was to seek the public's input on the utilization of body cameras. He said residents were welcome to attend and offer their opinions on the use of body cameras.
- C. Mayor Schenck said he attended the Green Tree Garden Club's Rose Garden Dedication. About 60 people attended and the Garden Club has done a great job with the gardens in the borough.
- D. Mayor Schenck stated that Officer Alan Feller is holding a fund-raising collection for the Greater Pittsburgh Women's Center & Shelter on Saturday, September 25 from 11:00 a.m. to 3:00 p.m. in the rear parking lot of the Municipal Center near the police station.

- E. Mayor Schenck said that the former St. Margaret's School, now called Guardian Angel Academy, has started the school year and there are a number of students from different municipalities including St. Philip's School. The police have been patrolling near the schools and school buses.
- F. Mayor Schenck said the police department received thanks from a number of people, including a person who got help from an officer when changing his flat tire. Another letter arrived from a West Virginia resident whose car had broken down in the borough and had gotten assistance from the police. Another person thanked the police department when they lost \$10,000 worth of camera equipment and the police tracked it down and shipped the equipment back to the owner. Another resident thanked the police for helping them when they had fallen in their garden. Mayor Schenck said it is nice to receive these types of letters because the police are continually answering a variety of calls.

PRESIDENT'S REPORT - Mr. Sampogna

- A. Mr. Sampogna said that shortly after he wrote his recent newsletter article about improvements in COVID-19 statistics in the borough, the numbers began to spike again and have continued to climb. In the last three months the borough has experienced 65 new cases with 54 of the cases occurring between August 10th and today. Green Tree has had 504 cases of COVID-19 since the beginning of the pandemic. It has been a sharp rate increase that parallels the increases that have been seen countywide. He asked residents to please continue to observe all recommended measures to help reduce the number of people impacted by this pandemic.
- B. Mr. Sampogna said he attended a meeting hosted by the Pennsylvania Municipal League where municipal regulations regarding 5G wireless facilities in wake of Pennsylvania Act 50 had been discussed. Mr. Dan Cohen and Mr. Mike Roberts were the speakers from Cohen Law Group who have drafted a new wireless communications facilities ordinance that Council will be voting on next month. The deadline to adopt this ordinance is October 28th.

REPORT OF BOROUGH COUNCIL COMMITTEES

A. 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 August 2021 invoices from the General Fund totaling \$73,898.56, Farmers Market totaling \$679.00, and Payroll Account totaling \$246,880.65.

Mr. Lorenzini asked about the \$31,000 expense for street work and \$111,000 for sewer work from Casper Colosimo & Son. Ms. Miller said the some of the street work was for the repair of curb cuts with about 26 ramps that need some work completed on them. Some of the repairs can wait while other work needs to be done sooner. Ms. Miller said that there have been a number of sewer repairs recently that fall under the \$111,000 expense.

Mr. Lorenzini asked about a three-month maintenance agreement with Fit Optimized Solutions. Mr. Sampogna thought it was an agreement for computer maintenance.

Mr. Lorenzini noted that an annual audit had been completed for approximately \$20,000. He asked how long this company has been doing the work for the borough and if the price has remained about the same. He suggested putting out a bid for the annual audit next year.

Motion carried unanimously.

2. Motion:

Mr. Tintori made a motion, seconded by Mr. Lindsey, to approve payment of the September 2021 invoices from the General Fund totaling \$377,180.35, Sanitary Sewer Maintenance Fund totaling \$5,775.28, Capital Projects totaling \$500.00, and Farmers Market totaling \$600.00.

Motion carried unanimously.

3. Motion:

Mr. Tintori made a motion, seconded by Mr. Rea, to authorize the Borough Manager to submit a Letter of Intent to the Department of Community and Economic Development (DCED) for Technical Assistance services in accordance with the Borough Manager's correspondence dated September 9, 2021.

Mr. Tintori said the state provides numerous types of technical assistance services and the borough is hoping to take advantage of some of these services.

Mr. Rea said he was happy to see that this motion was coming to fruition. He said that Council had tabled a similar motion back in 2020 regarding a study to look at regional consolidation of local police departments and should consider addressing that tabled motion at the next Council meeting.

Motion carried unanimously.

4. Motion:

Mr. Tintori made a motion, seconded by Mr. Rea, to authorize the purchase of a 2021 Police Explorer Utility vehicle from TriStar Motors for \$32,706 in accordance with the Police Chief's correspondence dated September 10, 2021.

Mr. Tintori stated that the purchase of this police vehicle had been budgeted. Mr. Lorenzini said the borough had budgeted \$45,000 for the purchase of this vehicle and asked about the difference between the total budgeted amount and the actual purchase price. Mr. Lindsey replied that the \$32,706 was for the purchase of the vehicle itself and then additional features and details need to be added before it can be used as a police vehicle. Mr. Lorenzini asked if the cost of the additional details could be done within the remainder of the budgeted cost. Mr. Lindsey said there would be sufficient money in the budget. Mayor Schenck said it takes about six weeks to outfit the vehicle for police use. Chief Cleary said the vehicle would need approximately \$14,000 to outfit it as a police vehicle. The vehicle it will replace, which is still in service, currently has about 87,000 miles on it.

Motion carried unanimously.

5. Mr. Tintori reported that Green Tree's state representative, Mr. Dan Deasy, has published a piece in his newsletter about a legislative citation that was held for Green Tree's former Borough Manager David Montz for his 30 years of service. Rep. Deasy also introduced Ms. Judy Miller, Green Tree's new Borough Manager in his newsletter. It is hoped that Green Tree can continue its good relationship with the state.

B. RECREATION & COMMUNITY AFFAIRS - Mr. Panza

1. Mr. Panza said that for years he has heard nothing but praise for the Public Works Department. He thanked Public Works for their assistance with Octoberfest over the years.

2. Appointments to the Green Tree Recreation & Community Activities Board in accordance with the Borough Manager's correspondence dated August 26, 2021.

Motion:

Mr. Panza made a motion, seconded by Mr. Novak, to reappoint Ken Nolte and appoint Jen Sakulsky to the Green Tree Recreation & Community Activities (RCA) Board with terms expiring March 1, 2024.

Mr. Lorenzini asked if these appointments were replacing other RCA members. Mr. Panza replied that Mr. Nolte has been on the RCA Board for years and has agreed to continue. There have been a number of openings on the board that have not been filled and Ms. Sakulsky would be a new addition. The RCA Board is not the Octoberfest Committee and it handles the other recreation events in the borough like Light Up Green Tree, Halloween Parade, 4th of July Celebration, etc. Mr. Sampogna stated that Ms. Sakulsky's application form was available in Council's meeting packet.

Motion carried unanimously.

3. Mr. Panza reported that the contracts for one Octoberfest band and the stage rental in 2021 have both been successfully carried over for the 2022 Octoberfest. Mr. Sampogna noted that Light Up Green Tree is scheduled for Saturday, October 4th.

C. PLANNING & ZONING - Mr. Lorenzini

1. Mr. Lorenzini said both Planning Commission and the Zoning Hearing Board have been busy. Cohen Law Group has completed the proposed Wireless Communications Facilities ordinance to be reviewed by Planning Commission and forwarded to Council. Mr. Sampogna said the ordinance needs to be approved by Council before October 28th. Planning Commission will be meeting on September 22nd to review the ordinance.

Mr. Lorenzini said Planning Commission would be holding a public meeting on November 10th at 7:00 p.m. to seek input for the Comprehensive Plan. They are also preparing a survey seeking residents' concerns regarding the Comprehensive Plan.

Mr. Panza asked if the previous Comprehensive Plan had been reviewed to see how many of the recommendations in that plan had been completed. Mr. Lorenzini replied that Planning Commission has done a review of the previous plan and looked at what has been completed, what was not done, and what no longer can be considered. Mr. Panza expressed interest in seeing those results.

Mr. Lorenzini said the Zoning Hearing Board recently heard applications for two variances. One variance was from Novacare Rehabilitation to put an office in a building on Greentree Road, which was approved. The second variance was from Urban Communities to create 215 separate micro-apartments at the current Pittsburgh Plaza Hotel. A continuance was requested on this application and a second meeting was held on September 2nd when the variance was denied. There is another meeting of the Zoning Hearing Board on September 23rd for Precision Sign & Awnings, acting on behalf of a property owner on Fleet Street, seeking a 48-foot sign variance.

D. PUBLIC SAFETY - Mr. Lindsey

1. **Memorandum on Understanding between the Borough of Green Tree and Keystone Oaks School District, providing for law enforcement support services.**

Mr. Lindsey said that this is a routine agreement between the borough and school district that needs to be renewed every two years.

Motion:

Mr. Lindsey made a motion, seconded by Mr. Rea, to authorize the execution of a Memorandum of Understanding between the Borough of Green Tree and the Keystone Oaks School District for the provision of law enforcement support services in accordance with the Police Chief's correspondence dated August 16, 2021.

Motion carried unanimously.

2. Police Mutual Aid Agreement of the Char West COG

Motion:

Mr. Lindsey made a motion, seconded by Mr. Rea, to execute the Police Mutual Aid Agreement of the Char West Council of Governments in accordance with the Police Chief's correspondence dated August 23, 2021.

Motion carried unanimously.

E. STREETS & PUBLIC HEALTH - Mr. Novak

1. Resolution #1287 - Pennsylvania Department of Transportation (PennDOT) Comprehensive Maintenance Services agreement.

Mr. Novak stated that the borough has a maintenance services agreement with PennDOT that includes a price schedule.

Motion:

Mr. Novak made a motion, seconded by Mr. Lindsey, to adopt Resolution #1287 authorizing the execution of the Comprehensive Maintenance Services Agreement with the Pennsylvania Department of Transportation (PennDOT).

Mr. Sampogna said this resolution was for the borough to obtain payment from the state for providing services on state properties, such as mowing the interstate cloverleaf interchanges and snow plowing Greentree Road.

Motion carried unanimously.

2. Mr. Novak said that sewer work is taking place on School Street prior to the paving of the road.

3. Consent Order

Mr. Sampogna reported that the borough had received a consent order from the Allegheny County Health Department regarding the sanitary sewer system. In January of 2019 the Pennsylvania Department of Environmental Protection, following the same process used in 2004 and 2015 consent orders, circulated a draft consent order to Three Rivers Wet Weather. A core group of over 50 municipal managers, engineers, and solicitors were organized to participate in negotiations with the DEP to facilitate an order that would be fair and reasonable for all municipalities. Many changes to the original draft agreement were made to allow for continued compliance in a practical and cost-effective manner. The main objective of the order was to have municipal source flow reduction reducing the amount of flow in the sanitary sewer system that is conveyed to the ALCOSAN treatment plant. There

are numerous ways that ground water and storm water can infiltrate a sanitary sewer system that can create excess flow to the treatment plant. Using flow-monitoring studies a metric was developed for separate sewer communities. The DEP accepted this standard, calling it the Gold Line Standard, and used it as a baseline for source reduction goals.

Mr. Sampogna said he had distributed Exhibit B to Council, which is from the borough's consent order. Exhibit B was created for communities that have separate sanitary and storm water sewers, such as Green Tree, to provide data on a municipality's sanitary sewer flow. Exhibit B provides a baseline for each municipal connection to the ALCOSAN system. The objective is for the municipal flow to fall below the Gold Line Standard. Green Tree is currently 10% below the Gold Line Standard for all of its connections.

The baseline was developed using 2008 flow data and the new order allows for a six-month due diligence period when a municipality can adjust the data based on projects completed since 2008. Green Tree's Poplar Street sewer project has removed 50 million gallons from the sanitary sewer system. Therefore, after the six-month period, Green Tree's numbers should be even more below the baseline.

Mr. Sampogna stated that Green Tree is already below the Gold Line Standard on all of its connection points and its sewer lines do not contribute to any sanitary sewer overflow. However, Green Tree must still take some positive action according to the mandate. One idea is to create a mandatory lateral inspection program at the time of the sale of a property to comply with the new consent order. Council will have to take this issue under consideration in the future. Other requirements include continuing system-wide operations and a maintenance plan as well as continued implementation of the SSO (sanitary sewer overflow). Ongoing reporting requirements must continue through the end of 2027. Green Tree is one of the few communities that falls into this category due to continued diligence and the projects the borough has performed over the years in maintaining its system.

Mr. Rea asked what else other communities are doing across the region. Mr. Sampogna said he did not have much information about other communities, but the Gold Line Standard only applies to separate sanitary sewer communities. Communities with combined sanitary/storm sewer systems have to reduce their flow by a certain percentage overall.

Mr. Lorenzini asked about the idea of possible lateral inspections. Mr. Sampogna said that inspecting laterals during the sale of a home is one suggestion a municipality can implement to comply with the consent decree. Discussion continued regarding the details of the consent decree.

F. PUBLIC PROPERTY & EQUIPMENT - Mr. Rea

1. Mr. Rea said that the borough is now offering livestreaming on its Council meetings and recordings of these meetings are now available on the borough's website.
2. Mr. Rea reported that repairs are underway on Hemlock II field to fix the drainage problem.
3. Mr. Rea said he and his committee met with the pool architect, Borough Engineer, Borough Manager, and Public Works Director to discuss the work on the pool. The architect made some recommendations and, as a result, it was decided to hold off on doing any major pool renovations at this point. He said it was likely that there would not be renovations, but the borough would most likely be building a new pool in the next few years. In the meantime, the usual pool repairs will be done. The architect indicated that the pool has been well maintained over the past 50 years, which is a testament to the Public Works Department

and the work that they have done over the years. He hoped that the current pool could be used for the next several years before investing in a new swimming pool.

LIAISON REPORTS

A. Char West COG - Mr. Novak

Mr. Novak reported that the COG has been on summer break, but will be meeting on Thursday in North Fayette. It will be the first in-person meeting of the COG since the pandemic began.

B. Library - Mr. Sampogna

1. Mr. Sampogna stated that Love Your Library month is underway. Donations made to the library during September will be matched thanks to a grant from the Jack Buncher Foundation.
2. Mr. Sampogna said that the transfer of the library's bookkeeping system to the Allegheny County Library Association is now complete.
3. Mr. Sampogna said the Library Board has partnered with the Historical Society to create a local action station exhibit on a topic of Civic Empathy Through History. This is due to a grant from the Grable Foundation and is in conjunction with the Heinz History Center. It will take about a year to implement the project and the Library Director has already attended some meetings and taken some training on this project.
4. The library's Used Book Sale will take place from October 7 through 11, which is the library's primary fund-raising event of the year. He said the library needs volunteers to help with the sale's set up, operation, and packing up after the sale. Volunteers can sign up on the library's website or stop in at the library to select a time to volunteer.

SOLICITOR'S REPORT - Ms. Diersen

Ms. Diersen had nothing to report at this time.

MANAGER'S REPORT - Ms. Miller

Ms. Miller had nothing to report at this time.

ADJOURNMENT

Motion:

Mr. Panza made a motion, seconded by Mr. Novak, to adjourn the meeting.

Motion carried unanimously.

Mark Sampogna, President

Judy Miller, Borough Manager