

**BOROUGH OF GREEN TREE  
COUNCIL MEETING  
OCTOBER 4, 2021**

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

Green Tree Borough Council met on Monday, October 4, 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 Council had met in Executive Session prior to this meeting regarding personnel matters regarding the Public Works Department and legal matters. The meeting was being recorded for transcription purposes.

**ROLL CALL**

**Members Present:**

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

**Absent:**

Edward Schenck, Mayor

**APPROVAL OF THE MINUTES**

**September 13, 2021**

**Motion:**

**Mr. Novak made a motion, seconded by Mr. Lindsey, to approve the September 13, 2021 Council meeting as presented.**

**Motion carried unanimously.**

**HEARING OF THE CITIZENS**

**Don Folkmire, 1006 Avacoll Drive**

Mr. Folkmire said that turn restrictions had been put into place on Avacoll Drive several years ago, which had been successful in reducing the traffic on the road. However, traffic on Avacoll has been getting worse in the afternoons, especially at times when children are getting on and off school buses. He asked if there could be more police presence on Avacoll at those times. Mr. Sampogna said that Chief Cleary, who was present at the meeting, would be taking note of Mr. Folkmire's comments.

**Lori O'Toole, 1100 Oriole Drive**

Mrs. O'Toole asked if Council is considering the removal of the baby pool at Wilson Park Pool. Mr. Rea replied that there was no truth at all to this statement.

**MAYOR'S REPORT - Mayor Schenck**

In the absence of Mayor Schenck, there was no report this evening.

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

- A. Mr. Sampogna said that he had attended an Executive Committee meeting of the Congress of Neighboring Communities (CONNECT). There were presentations and discussions on the DEP consent decrees, sewer transfer agreements, and Pennsylvania One-Call coordination of the excavation and notification system.
- B. There are 1,323 polling locations in Allegheny County with a shortage of poll workers. Individuals can earn about \$125 to \$175 on Election Day for working at the polls on November 2nd and interested people should contact the Allegheny County Elections office.
- C. Mr. Sampogna said that CONNECT's annual fundraiser event will be held on Tuesday, November 16 at Mindful Brewing in Carnegie, 1001 Washington Avenue from 5:30 to 7:30 p.m.
- D. CONNECT's Climate Action Plan subcommittee met on September 20th. The draft plan had been submitted to the DEP in July and comments and suggestions are still being requested from the public. Mr. Sampogna said he would be glad to share a copy of the draft plan to anyone who contacted him. If the Climate Action Plan is adopted by CONNECT and a municipality then it is possible that funding to implement the Climate Action Plan may be available.
- E. Mr. Sampogna attended the ALCOSAN Advisory Committee meeting where it was reported that the ALCOSAN Open House had 567 attendees, 27 vendors, and conducted 21 plant tours. It is anticipated that the full ALCOSAN Board will be adopting a new rate resolution in October, but no details of the new rates were provided to the committee.
- F. Mr. Sampogna said that Sewer Regionalization Program has sent out 70 of 80 agreements, including an agreement for Green Tree. Only a few of the agreements have been executed so far, but more will be forthcoming. Mr. Sampogna said there had been discussion regarding third party, for-profit companies that are offering to purchase municipal sanitary sewer systems and the potential effects it could have on sewer regionalization efforts.
- G. ALCOSAN's GROW Grant Program shows that, to date, 137 projects have been funded or approved, 43 have been closed out, 27 are in post-construction evaluation (including one of the borough's recent projects), and 32 are in the process of being constructed or designed. Five hundred million gallons of storm water will be removed through these projects.
- H. Mr. Sampogna stated that ALCOSAN plant improvements so far include \$244 million in construction contracts related to ALCOSAN's Clean Water Plan.

**REPORT OF BOROUGH COUNCIL COMMITTEES**

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

**1. Hemlock II Repairs**

Mr. Rea reported that a contractor has been at Hemlock II field recently to look at the field's drainage issues. The initial work that was done did not seem to solve the drainage problem and a large puddle remains in the left field area. The contractor brought in additional dirt in an attempt to alleviate the issue and suggested a phased approach to the problem in an effort to avoid spending an exorbitant amount of money.

- 2. Mr. Rea said that Council voted on the peer review last month, conducted by DCED. The review begins on October 12th with the Administrative Offices, beginning with Ms. Miller,

soon to follow with reviews of the Police Department and Chief Cleary. DCED is trying to find a peer review person for the Police Department.

3. Mr. Rea said that the baby pool at Wilson Park Pool would be open next year. The Public Property Committee will be meeting with the architect, who is developing some conceptual designs for review. When the pool is rebuilt, possibly in the next three to five years, it could include removing the baby pool and building it near the larger pool with a zero entry-type of design.

**B. 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 September 2021 invoices from the General Fund totaling \$43,140.39, Payroll Account totaling \$320,380.78, and Educational Service Agency totaling \$4,892.45.**

**Motion carried unanimously.**

**2. Motion:**

**Mr. Tintori made a motion, seconded by Mr. Lindsey, to approve payment of the October 2021 invoices from the General Fund totaling \$179,701.62, Sanitary Sewer Maintenance Fund totaling \$275.03, Capital Projects totaling \$59,643.50, and Farmers Market totaling \$272.00.**

**Motion carried unanimously.**

3. Mr. Tintori said the 2022 borough budget would be presented to Council in November. The Finance Committee traditionally works with the Borough Manager on the budget. If any Council members have items to be considered for the 2022 budget they should do so at this time.

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

1. Mr. Panza said that he is head of the Boroughs Association and Vice President of ALOM (Allegheny League of Municipalities). ALOM includes almost every community in Allegheny County. These organizations recently discussed the issue of trick-or-treating. The City of Pittsburgh holds its trick-or-treating earlier than many of the communities that are next to the city. ALOM suggested that CONNECT take a look at this issue since CONNECT was formed to address issues impacting the City of Pittsburgh and neighboring communities. ALOM made a formal request in April, but does not know if that issue had been discussed by CONNECT. Mr. Sampogna that he did know of a Halloween trick-or-treating discussion by CONNECT. Mr. Panza hoped that in the next year CONNECT could discuss this issue

Mr. Panza said that Green Tree has always held trick-or-treating on October 31 from 6:00 to 8:00 p.m. as do most neighboring municipalities, except for the City of Pittsburgh. The earlier city time is when many people are still commuting home from work. Mr. Panza asked if Green Tree should consider starting trick-or-treating at 5:30 to accommodate city children who may be trick-or-treating earlier.

Mr. Novak did not have an objection to starting trick-or-treating in Green Tree at 5:30, but Mr. Rea said it should begin at 6:00 since there is still traffic coming home. If Council wants to address changing the time of trick-or-treating in Green Tree it should be addressed next

year since the time has already been announced for this year. Mr. Tintori felt it should remain from 6:00 to 8:00 and suggested that the City of Pittsburgh consider moving its trick-or-treating to 6:00 instead.

- 2. Mr. Panza said there would be a Senior Healthcare Fair at the Green Tree Fire Hall on Thursday, sponsored by State Rep. Dan Deasy.

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

**1. Ordinance #1849**

**Repealing Chapter 165, Fire Prevention and Adopting the International Fire Code, in accordance with the Borough Engineer's correspondence dated September 28, 2021.**

**Motion:**

**Mr. Lorenzini made a motion, seconded by Mr. Novak, to pass Ordinance #1849, repealing in its entirety Chapter 165 and adopting in its place a new Chapter 165, to be known as Fire Prevention, adopting the 2018 International Fire Code as the model fire code for the Borough, describing the authority of the Building Code Official, setting fees for Fire Code Permits, describing the fees for appeal of the Fire Code and setting forth enforcement rights.**

Mr. Lorenzini said the borough is in the process of updating many of its codes that are out of date, some of which have been out of date for 30 years or more. Mr. Rea said he did not think that the borough has been out of date with its codes for 30 years. Upon review, Mr. Lorenzini stated that the borough adopted the current code in 1985 from BOCA Basic National Fire Prevention Code. Mr. Lorenzini added that the Borough Engineer in his memo stated that not only is the current code over 30 years old, but the BOCA organization has not been in existence since the beginning of the 21st century.

**Roll Call Vote**

<b>Mr. Lindsey</b>	<b>Yes</b>
<b>Mr. Lorenzini</b>	<b>Yes</b>
<b>Mr. Novak</b>	<b>Yes</b>
<b>Mr. Panza</b>	<b>Yes</b>
<b>Mr. Rea</b>	<b>Yes</b>
<b>Mr. Tintori</b>	<b>Yes</b>
<b>Mr. Sampogna</b>	<b>Yes</b>

**Motion carried unanimously.**

**2. Ordinance #1850**

**Amending Chapter 248, Property Maintenance, in accordance with the Borough Engineer's correspondence dated September 28, 2021.**

Mr. Lorenzini asked that this ordinance be tabled because he is not ready to present it.

**Motion:**

**Mr. Lorenzini made a motion, seconded by Mr. Panza, to table Ordinance #1850 regarding Property Maintenance at this time.**

Mr. Sampogna did not see any reason why this ordinance could not be presented and voted upon at this time. Mr. Lorenzini said there are items in the ordinance that he had not reviewed and he was not prepared to present it.

Mr. Lindsey asked what were the ramifications of tabling this ordinance. Ms. Miller said that tabling it was not a problem.

**Roll Call Vote**

<b>Mr. Lindsey</b>	<b>Yes</b>
<b>Mr. Lorenzini</b>	<b>Yes</b>
<b>Mr. Novak</b>	<b>Yes</b>
<b>Mr. Panza</b>	<b>Yes</b>
<b>Mr. Rea</b>	<b>Yes</b>
<b>Mr. Tintori</b>	<b>Yes</b>
<b>Mr. Sampogna</b>	<b>No</b>

**Motion to table passed, 6-1-0.**

- 3. Mr. Lorenzini said that Planning Commission will be meeting on October 13 and October 27.

Mr. Lorenzini reported that the Zoning Hearing Board held a meeting on September 23 and approved the zoning variance from Precision Sign & Awning for a sign larger than permitted by ordinance at 300 Fleet Street. The vote was unanimous. The Zoning Hearing Board also voted to appoint Ms. Ashley Griffin as Vice Chair. There are no other Zoning Hearing Board meetings scheduled at this time.

**E. PUBLIC SAFETY - Mr. Lindsey**

- 1. Mr. Lindsey said that Mayor Schenck had asked Mr. Lindsey to present several items on his behalf:

(a) Mayor Schenck and Chief Cleary held public office hours at the Municipal Center Park Gazebo on September 18 with approximately ten residents in attendance.

(b) The second annual donation drive for the Greater Pittsburgh Women's Center & Shelter on September 25 was a success. Businesses such as Brutus Monroe, organizations such as the American Legion Post #823, and individuals donated cash, gift cards, and enough supplies to fill the bed of an F-150 pick up truck. Police Officer Feller is planning on growing the event and coordinating with other local police departments next year.

- 2. **Order for a 2022 Ford Explorer in accordance with the Police Chief's correspondence dated September 30, 2021.**

Mr. Lindsey said Council had received the Chief email about this purchase. It is an unbudgeted police vehicle, but it is being requested at this time because of the delays in the auto industry, which could push back delivery. The borough would not be required to make any payments for this vehicle until 2022 and it would need to be approved in the 2022 budget. Approving this purchase would commit the borough to purchasing and paying for this vehicle in 2022. The Police Department reports that there are two police vehicles that may reach the targeted goals of 100,000 miles soon. The Chief would like to get one vehicle early and a second vehicle later in 2022.

**Motion:**

**Mr. Lindsey made a motion, seconded by Mr. Rea, to authorize the placing of an order for a 2022 Ford Explorer from Woltz & Wind Ford for \$35,645 in accordance with the Police Chief's correspondence dated September 30, 2021.**

Mr. Tintori asked if borough would still be responsible for payment if the vehicle was not delivered in 2022 due to delays. Chief Cleary replied that the borough would not be responsible for payment if the vehicle was not delivered. Mr. Lindsey said the borough would not pay for the vehicle until it arrives.

**Motion carried unanimously.**

**F. STREETS & PUBLIC HEALTH - Mr. Novak****1. Resolution #1288****Consent Order and Agreement between the Borough of Green Tree and Allegheny County Health Department for the sanitary sewer system.**

Mr. Novak said this resolution is for Phase #2 of the consent order for the sanitary sewer system. The consent order has a gold line standard that the communities must follow as required by the DEP and Allegheny County Health Department.

**Motion:**

**Mr. Novak made a motion, seconded by Mr. Lorenzini, to adopt Resolution #1288 authorizing the Borough Manager of Green Tree to execute the signing and distributing of the Consent Order and Agreement with the Allegheny County Health Department for the sanitary sewer system.**

Mr. Sampogna said that Mr. Lorenzini had asked at the last meeting what the borough's choice would be in meeting this agreement. He said that none of the borough's flows are tributaries to an active sanitary sewer overflow location. This has put Green Tree in a minority of communities that are in this situation, so the borough must do one of the following:

- (1) Reduce the amount of inflow and infiltration into the sanitary sewer system with a project to reduce the flow by 10%. This must be accomplished by 2026.
- (2) Provide a payment to another ALCOSAN municipality to assist that municipality in implementing their inflow and infiltration reduction project equivalent to the amount it would cost Green Tree to implement it.
- (3) Get a credit for 5% reduction of flows if we could demonstrate to an engineer's report to the satisfaction of the Allegheny County Health Department that the municipality has, within the past 48 months, has achieved a reduction of inflow and infiltration into the system by at least 5%.

Mr. Sampogna said that the Poplar Street sewer project might qualify for this item, but it has not yet been determined. However even if the Poplar Street project qualifies for this item, the borough would still have to complete another sewer project to reduce inflow and infiltration by another 5%. Mr. Panza felt that this was penalizing the borough for implementing a flow reduction project in advance since this project easily removes more than 10% of inflow and infiltration. Mr. Sampogna agreed and said that this item would credit the borough with 5%, but still require another project to reduce an additional 5% in the future.

- (4) Enact and diligently enforce appropriate ordinances and/or rules and regulations requiring the testing of private sewer laterals to the municipalities sewer system and the repair or replacement of these sewer laterals that fail testing upon the sale or transfer of any property. The required testing shall only include dye testing and one of the following: CCTV testing, flood testing, pressure testing, or other method of testing verified by the Allegheny County Health Department.

When asked, Mr. Sampogna said this testing would include both businesses and homes. He said that the sewer lateral ordinance would need to be enacted by April 30, 2022. The other three projects would need to be completed by 2026. Mr. Sampogna felt that the sewer lateral requirement was a good idea since it would save many new homeowners money. Often an elderly person or couple sells a home to a larger, active family and the water usage rises between laundry, dishes, showers, etc. Shortly after moving into the house the sewer begin to back up because the low water flow from the elderly couple allowed the sewer to drain through roots or other problems with the lateral, but the increased use of water suddenly makes drainage a problem by backing up, leaving the new owners with a large repair bill. This would provide a good consumer protection policy for new homebuyers while costing the borough nothing.

Mr. Lorenzini asked what it would cost the borough to make a payment to another municipality for its sewer project. Mr. Sampogna said that it would cost whatever the other municipality's project cost. Mr. Lorenzini suggested that the borough obtain an estimate of such a cost in order to compare the various options. He said he would like to see estimates of the costs for the first three options presented in order to make an informed decision. He suggested this estimate be done soon in order to decide before April whether to proceed with the lateral requirement or another choice. Mr. Sampogna said that an engineering firm would have to be paid to develop estimates for each of these possibilities.

Mr. Rea asked how much the Poplar Street sewer project had cost the borough. Mr. Novak thought it had cost about \$400,000, but the borough had received a grant for the project that covered most of the cost with the borough paying only about 15% of the total.

**Motion carried unanimously.**

## **2. Road Paving**

Mr. Novak reported that the prep work for this year's paving projects, such as concrete curbs, manholes, and drain work required before actual paving can take place. is about 95% complete. Columbia Gas must complete only one remaining repair. A notice to proceed will be provided by Mele & Mele for the paving of School Street and McKenna Avenue.

## **LIAISON REPORTS**

### **A. Char West COG - Mr. Novak**

1. Mr. Novak said COG would be holding a meeting to set the price schedule for using the Vactor for next year.
2. An administrative assistant at the COG resigned last month and the COG is looking at filling that position.
3. The COG is looking at whether a joint electronic recycling program between communities could save some money.

4. A comprehensive maintenance agreement for five years was signed with PennDOT that would involve the use of the Vactor.
5. Mr. Novak said the COG turned in ten 152 applications for the blight removal program and six grants were approved.

**B. Library - Mr. Sampogna**

1. Mr. Sampogna said the Library Board discussed the upcoming Used Book Sale being held from October 7 through October 11. Additional volunteers are always needed and they should contact the library for details.
2. Mr. Sampogna reported the Love Your Library concluded on September 30 and he would report the results from this campaign at the next meeting.
3. Circulation of library materials is currently running at about 85% compared to the 2019 numbers. Program attendance, both physically and electronically, has been declining.

**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.**

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Mark Sampogna, President

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Judy Miller, Borough Manager

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