

**BOROUGH OF GREEN TREE
COUNCIL MEETING
DECEMBER 5, 2011**

Call to Order / Silence for Meditation / Pledge of Allegiance

Green Tree Borough Council met on Monday, December 5, 2011 at 7:30 p.m. at the Green Tree Municipal Center, 10 West Manilla Avenue, Pittsburgh, Pennsylvania.

Roll Call

Members Present:

C. F. Hammer, Mayor
Daniel Behanna
John Novak
Ron Panza
Janine Palmer
Edward Schenck
Arthur Tintori

Also Present:

W. David Montz, Borough Manager
Peter Molinaro, Jr., Borough Solicitor
Babette Legler, Finance Director
Kary Rahner, Public Works Director
Matt Hoey, Junior Council Person
Deborah N. Gawryla, Stenographer

Absent:

Mark Sampogna

PUBLIC HEARING

Proposed 2012 budget and ordinance setting proposed Borough millage rate for the year 2012 at 5.00 mills.

Ms. Palmer said that Council had held two budget meetings last week. She asked Mr. Montz to outline the details of the proposed budget for those in the audience who were not present at last week's meetings. Mr. Montz gave a presentation showing the Borough's revenue information, including the difference between the purchase prices of recently purchased homes in Green Tree versus the assessed value of these homes, the growth in amount of the Borough's earned income tax (EIT), the amount of business privilege tax (BPT) collected, the county's RAD tax, and deed transfer tax collection. Mr. Montz reviewed some of the larger estimated expenses anticipated in 2012, such as legal ads, fuel costs, trash collection, road salt, and park utilities.

Mr. Montz presented a chart on the differences between the county's overall assessed values of property and real estate assessment appeal results. The Borough's real estate escrow fund had been established in 2000 when the county had been reassessed. It has helped cover assessment appeal refunds without impacting the general budget. With the county anticipating reassessments in the near future, he recommended that Council continue with the escrow fund.

Mr. Montz said that with the anticipated reassessments, the revenue number would change and the budget may have to be recalculated. He presented the following comparison between the 2011 and the 2012 budget, based upon his proposal:

<u>2011</u>		<u>2012</u>	
General Fund	\$6,135,860	General Fund	\$6,286,633 (+2.46%)
Sanitary Sewer Cost	\$1,156,100	Sanitary Sewer Cost	\$1,263,700 (+9.31%)
Total	\$7,291,960	Total	\$7,550,333 (+3.55%)

Mr. Montz stated that sanitary sewer costs would be increasing dramatically in coming years because of the many improvements, repairs, and sewage treatment costs that Alcosan must make that are passed along to the Borough.

Ms. Palmer opened the public hearing on the proposed 2012 budget to public comment.

Ron Vukson, 4 Robinhood Road

Mr. Vukson asked why the refuse collection costs have increased almost \$60,000 from 2008 to the present. Mr. Montz replied that the Borough bids on refuse collection costs and signs a contract for an agreed upon rate for five years. The Borough is currently entering its fourth year of the current contract and will have to rebid for services near the end of this contract. Mr. Schenck said that the refuse collection contract provides a set price for the five years of the contract. This is only for collection in the residential districts. Increases are generally the result of increase fuel costs, landfill costs and environmental regulations and there is a big increase each time a new contract must be negotiated.

Kris Pusateri, 13 Terrace Drive

Ms. Pusateri said she has lived in Green Tree for almost 16 years and the current real estate tax rate has been the same for almost ten years. She felt that the proposed tax increase was the cost of doing business and asked if Council could provide a prediction regarding how long this millage rate could be held without another increase.

Mr. Behanna said he is also concerned about how long an increase would be able to be held without an additional increase. He hoped the Borough would develop a long-term plan to ascertain that this increase is a good amount and also to determine whether this is the right time to do it. Mr. Behanna hoped that a long-term plan could avoid an additional increase in another year or two, taking into consideration the anticipated revenues and the upcoming increases in various expenditures, such as the garbage contract.

Ms. Pusateri said that the proposed millage increase would raise property taxes by \$65 on a \$100,000 assessed home, which breaks down to a little over \$5 per month. Ms. Pusateri said that she is willing to pay an additional \$5 per month to make sure that Green Tree's roads are cleared on snowy days and leaves are collected in the fall. Ms. Pusateri said that fuel costs have been increasing and the Borough's vehicles need fuel to operate to plow the roads or patrol our neighborhoods.

Mr. Montz said he does not want to have to propose a tax increase every year. Looking back on past budgets, the Borough has put a lot of stock in the commercial office buildings between the real estate values and the business privilege tax and Green Tree was probably the only community along the Parkway West corridor that has a business privilege tax. In the past, Green Tree could attract businesses from downtown with its convenient location, free parking and lower BPT than the City of Pittsburgh. However, the city has switched to a payroll tax and dropped the business privilege tax, which removes that tax incentive for businesses to leave the city. He said Green Tree has also been developed to 90-95% of its maximum development capability. In order to get new income, the Borough must raise taxes. He said the business privilege tax is a difficult tax to project when taking into consideration the state of the economy and other factors. BPT is beginning to see a decline since it was capped, but he hoped it would continue to rise. Mr. Montz said that the residents have indicated that they like the services that Green Tree provides and those

services come with a cost. Ms. Pusateri commented that the millages on homes in many of the neighboring communities are higher than Green Tree's millage.

Mr. Schenck calculated that there were about 14 people in attendance this evening for the public hearing. If Council does decide to go forward with a tax increase, he hoped that there would not be another increase for awhile, although there are no guarantees. Mr. Schenck said he has been on Council for six years and there has not been a tax increase during that entire time, or the four years prior to that. The Borough depends upon three major sources of revenue: real estate taxes, business privilege taxes, and earned income taxes. Real estate revenue is flat. Business privilege tax has been capped and the amount collected has been lower over the past two years. The 1% earned income tax has increased, but it has not made up for all of the increased costs. He detailed the possible totals the real estate tax increase might provide and the increases in expenditures that the Borough would probably see in the next few years.

Mr. Schenck said that Mr. Montz and Ms. Legler, the Borough's Finance Director, have recommended this tax increase based on their day-to-day, hands-on experience with the budget. They have done an excellent job in avoiding tax increases over the past ten years while maintain the same level of services to the community.

Mr. Behanna stated if there is no tax increase, Council must consider what will be cut. Core services must still be provided. Mr. Behanna said that Council must also consider how an increase in real estate taxes will impact the commercial community. He detailed the various services the Borough provides.

Mr. Panza suggested that Council consider spending what is brought in and keep a tighter budget without raising taxes. The final decision on the budget has not yet been made and there are a number of options that Council can still pursue. Until the final vote is taken, a tax increase has not yet been decided. He hoped that County Council would also consider spending what is brought in. He said that the State of Pennsylvania is trying to hold costs and he hoped the Keystone Oaks School Board would also consider that same method.

Mr. Montz said that the Borough has never run a budget with deficit spending. The Borough has only spent what has been brought in and each year the Borough has managed to come in under budget. Mr. Montz noted that one of the options Council was presented with included a 5% windfall increase that did not cut services with police, fire, plowing snow, etc., but there were cuts in paving and other expenditures.

Motion:

Mr. Behanna made a motion, seconded by Mr. Tintori, to close the public hearing at 8:15 p.m.

Motion carried unanimously.

APPROVAL OF THE MINUTES

November 7, 2011 / November 28, 2011 / November 30, 2011

Motion:

Mr. Behanna made a motion, seconded by Mr. Novak, to approve the minutes from the November 7, 2011, November 28, 2011, and November 30, 2011 Council meetings as presented.

Motion carried, with Mr. Tintori abstaining from the approval of the November 30, 2011 meeting minutes because he had not attended this meeting.

HEARING OF THE CITIZENS

Ron Vukson, 4 Robinhood Road

Mr. Vukson stated that he had spoken at last month's Council meeting regarding a citation he had received from the police department regarding his dog. The indictment was for "howling and barking dogs," which implied more than one dog, and Mr. Vukson only has one dog. However, his neighbor has eight dogs in a pen in her yard.

Mr. Vukson said he appeared before the magistrate and the police officer pursued the one dog theory at the hearing. Two witnesses claimed that Mr. Vukson's dog had been barking in the middle of the night, but Mr. Vukson said he brings his dog in each evening at 7:00 p.m. and the dog is not left outside overnight.

Mr. Vukson said he was fined \$90 and another hearing in March at criminal court. He has gotten an attorney and has two witnesses. Mr. Vukson said he brought this issue up with the police department and was told they would not come out and investigate anything more, unless they received calls about the dogs barking. Mr. Vukson said he called one night when his neighbor's dogs were barking, but when the police came out they said the dogs were not doing anything.

Mr. Vukson asked if there was anything he could do, as a Green Tree resident, to help with the hiring of police officers. He felt that the current police officers have been displaying an unprofessional attitude on the job. Additionally, a number of officers on the force are overweight and out of shape.

Mr. Schenck said that there is a statewide procedure in place to select new officers for any police department in the state. Each municipality has a Civil Service Commission or Board that handles the hiring of new officers. Council appoints members to the Civil Service Commission as openings occur. The Civil Service Commission interviews prospective candidates, as needed, with an oral interview, a written test, and a pass-fail physical fitness test. Council is not permitted to attend or take part in these procedures. Based upon the results of these tests the three highest candidates are selected. Council then interviews the three highest candidates and one of the three is selected for the open position. There are very objective standards that are used in the hiring of police officers and the procedures keep politics out of the selection process. Mr. Schenck said that Mr. Vukson has limited opportunity in the hiring of new officers unless he was appointed to the Civil Service Commission. Once officers are hired there is little that can be done to remove them from the position because they might be overweight or out of shape.

Mr. Panza suggested that if Mr. Vukson wanted to be involved in the selection of new officers for the Green Tree Police Department, he should apply to the Borough the next time there is an opening on Green Tree's Civil Service Commission.

Mr. Vukson's second complaint was regarding the lack of service provided by some of the personnel at the library. He regularly uses the computers at the library, but he said that the library's computers sometimes have problems and become locked up and he does not know how to remedy these computer problems. After asking for assistance several times, he felt the library personnel did not want to be bothered anymore and they told him they could not help him out with the computer. Mr. Vukson became frustrated and told the clerk that, although he was a Green Tree resident, he was going to go to Dormont Library to get the assistance he needed. He said the clerk told him that was a good idea. Mr. Vukson felt that was a poor response to his request. He ended up going to Dormont Library and he received the service he wanted. He asked Council to look into this issue. He said his problems have not been with those who work in the evenings, but only with those who work during the daytime hours.

MAYOR'S REPORT - Mayor Hammer
Proclamation - Aiken Elementary School

Mayor Hammer read the following proclamation:

"Recently the U.S. Department of Education named the Fred L. Aiken Elementary School a 2011 National Blue Ribbon School,

Whereas, Aiken School was recognized as the highest among 255 public schools nationally and only one of two schools in Pennsylvania that qualified,

Whereas, this accomplishment was obtained because of the high performance and student achievement in the classrooms,

Whereas, Administrators, Teachers and Parents consolidated their efforts to support this outstanding recognition of the students,

Whereas, on November 22, 2011 the students of Aiken School celebrated their honor with a giant balloon launch and the raising of the Blue Ribbon on the school grounds,

WITNESSETH

That by the virtue of the power vested in me, I, C. F. Hammer, Mayor of the Borough of Green Tree on behalf of all our citizens, Council and myself extend our sincere best wishes for your continued success in all future endeavors."

REPORT OF BOROUGH COUNCIL COMMITTEES

A. RECREATION & COMMUNITY AFFAIRS - Mr. Panza

1. Appointments to Library Board

Motion:

Mr. Panza made a motion, seconded by Mr. Behanna, to appoint Jenny Bean, Melissa Schuetz, and Kim Bissert to the Green Tree Library Board.

Motion carried unanimously.

2. Appointment of Official and Alternate Delegates to the Allegheny County Boroughs Association.

Mr. Panza said he has enjoyed being the delegate for the past few years and would be glad to be the delegate again.

Motion:

Mr. Behanna made a motion, seconded by Mr. Tintori, to appoint Mr. Ron Panza as Official Delegate and Mr. Ed Schenck as Alternate Delegate to the Allegheny County Boroughs Association.

Motion carried unanimously.

3. General Report

Mr. Panza said he would be instituting a task force in 2012 to look into building a sound barrier along the Parkway West corridor. The task force would consist of about four additional people to meet a few times a year to look at and research alternatives in providing sound protection along the Parkway West.

B. STREETS & PUBLIC HEALTH - Mr. Novak

1. Bid Award - ADA Handicap Ramp Installation - Greentree & Parkway Center Drive

Motion:

Mr. Novak made a motion, seconded by Mr. Behanna, to award the bid for the construction of the ADA handicap ramp at the intersection of Greentree Road and Parkway Center Drive to Joe Palmieri Construction Company at a cost of \$12,120.

Motion carried unanimously.

C. 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 November 2011 invoices from the Capital Projects Fund totaling \$885.00, Pension Proceeds Fund totaling \$804,050.81, Health Care Fund totaling \$479.47, Payroll Account totaling \$176,592.93, Educational Service Agency totaling \$5,341.12, and other bills on the bill sheet totaling \$24,034.45.

Motion carried unanimously.

2. Motion:

Mr. Behanna made a motion, seconded by Mr. Tintori, to approve payment of the December 2011 invoices from the 2009 Sanitary Sewer Bond totaling \$65.37, Capital Projects Fund totaling \$3,522.95, and General Fund totaling \$121,813.38.

Motion carried unanimously.

3. Authorize Borough Manager to transfer rights of ownership of the 2009 Chevy Suburban to the Green Tree Volunteer Fire Relief Association.

Mr. Montz said that in June 2009, the Fire Company had approached the Borough about purchasing a command vehicle for the fire company. They have recently received some grant money and added some Fireman Relief Association funds from the state to purchase this vehicle. It is being purchased through the Central Westmoreland COG. The fire company has paid for the entire cost of the vehicle.

Motion:

Mr. Behanna made a motion, seconded by Mr. Tintori, to transfer the rights of ownership of the 2009 Chevy Suburban to the Green Tree Volunteer Fire Relief Association.

Motion carried unanimously.

4. Mr. Behanna stated that Council would not be voting on the proposed 2012 budget at tonight's meeting. Council will be meeting on December 19, 2011 at 7:30 p.m. to discuss and vote on a budget.

D. PLANNING & ZONING - Ms. Palmer

Ms. Palmer had nothing to report at this time.

E. PUBLIC PROPERTY & EQUIPMET - Mr. Tintori

1. Mr. Tintori reported that the recent Light Up event had been very successful with great weather and a good turnout. Public Works has done a great job with the lighting of the Borough. Congressman Tim Murphy attended the event to flip the switch on the lighting of the tree.

F. PUBLIC SAFETY - Mr. Schenck

1. Mr. Schenck read the following card that was received thanking Officer Diehl for visiting Joyful Journey PreSchool. He asked that it be placed in Officer Diehl's personnel file:

"Thank you for sending Officer Diehl to speak with our students at Joyful Journey PreSchool. The kids were so attentive and laughed easily as Officer Diehl is a natural with children. We hope to make this an annual visit."

LIAISON REPORTS

(a) MRTSA - Mr. Montz

Mr. Montz had nothing to report at this time.

(b) Char West COG - Mr. Novak

Mr. Novak had nothing to report at this time.

(c) Library - Mr. Sampogna

In the absence of Mr. Sampogna, there was no report this evening.

(d) Junior Council Report - Mr. Hoey

Mr. Hoey reported that the high school's annual winter music concert will be held on Thursday, December 15 at the high school auditorium. This concert will be different from previous year's concerts because it will combine the high school symphonic orchestra and the high school chorus together in one concert

Mr. Hoey said that there will be a blood drive on December 16 at the high school. Keystone Oaks is one of the first schools in the area to hold a blood drive this year

PRESIDENT'S REPORT - Mr. Sampogna

1. Ms. Palmer said that Council would be postponing a vote on the proposed 2012 budget at the request of Mr. Sampogna who is out of town. Council will meet on December 19 at 7:30 p.m. to discuss the budget once again. Mr. Schenck said that Council is also still reviewing the budget options at this time.

SOLICITOR'S REPORT - Mr. Molinaro

Mr. Molinaro had nothing to report at this time.

MANAGER'S REPORT - Mr. Montz

1. Mr. Montz thanked the Green Tree Garden Club for decorating the interior of the Green Tree Municipal Center.
2. **West Manilla Micro-surfacing**

Mr. Montz stated that there have been some problems on one area of West Manilla, from El Rancho to Poplar Street, with the recent micro-surfacing. This area has been milled and will have to remain as it is until spring.
3. **2012 Proposed Budget**

Mr. Montz said that the 2012 budget is complex because of the unknown real estate value of the Borough with the upcoming reassessments. He hoped that more information would be forthcoming from the county soon to provide a better estimate of the assessed value. He asked Council to look at the amount of revenue needed. He said it is difficult to get a realistic millage rate calculation because he does not know what the assessed value of the Borough will be for 2012. He discussed some possible directions that the assessment issue and the budget could go in.

Mr. Panza asked if Council would receive only one budget proposal at the December 19th meeting or if various versions of the budget will be presented for consideration. Mr. Behanna asked if all of the budget options that had been discussed at previous meetings would be available at the December 19th meeting. Ms. Palmer did not feel that there would be any major news from the county regarding reassessments before December 19th. Mr. Montz said that Council could take a \$100,000 increase, or 5% over the revenues generated this year, by saying that was the windfall. Anything over 5% requires approval from the court. Solicitor Molinaro felt that the court would have some input on this issue at their December 12th meeting and all these suppositions could change following that meeting. Mr. Tintori said that the City of Pittsburgh plans to

send its tax notices out by the end of the month. The meeting with the judge on December 12th will help to determine when the new reassessment will take place and how it can be implemented in municipal tax structure. Solicitor Molinaro commented that since 2011 was an election year, the new council could reopen the budget in January if needed.

Mr. Panza said if only one budget proposal was presented, it could be defeated. Mr. Montz said that if that happened, Council would have to meet again or keep discussing the budget until one could be passed prior to December 31.

Mr. Behanna asked Council for feedback of the manager's review of the budget by the end of the week. He has only gotten responses from two Council members so far.

4. Reorganization Meeting

Mr. Montz said that the reorganization meeting would be held on Tuesday, January 3rd since Monday is a legal holiday. The regular meeting will convene at 7:30 p.m., then adjourn, followed by the reorganization meeting beginning at 8:00 p.m. The charter requires that it be held on this date and at this time.

ADJOURNMENT

Motion:

Mr. Panza made a motion, seconded by Mr. Behanna, to adjourn to December 19, 2011 at 7:30 p.m.

Motion carried unanimously.

Mark Sampogna, President

W. David Montz, Manager

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