

**BOROUGH OF GREEN TREE
COUNCIL MEETING
MAY 4, 2009**

Calla to Order / Pledge of Allegiance

Green Tree Borough Council met on Monday, May 4, 2009 at 7:30 p.m. at the Green Tree Municipal Center, 10 West Manilla Avenue, Pittsburgh, Pennsylvania. Mr. Sampogna said that Council had met in Executive Session prior to this meeting to discuss personnel and legal matters.

Roll Call

Members Present:

Vincent J. Abbato, Mayor
Mark Sampogna, President
Daniel Behanna
Paul Kirsch
Janine Palmer
Ron Panza
Edward Schenck
Arthur Tintori

Also Present:

W. David Montz, Borough Manager
Peter Molinaro, Jr., Borough Solicitor
Brendan Helt, Junior Council Person
Chief Andrew Lisiecki, Chief of Police
Deborah N. Gawryla, Stenographer

APPROVAL OF THE MINUTES

March 2, 2009

Motion:

Ms. Palmer made a motion, seconded by Mr. Tintori to approve the minutes of March 23, 2009 Council meeting with the following correction:

p. 4 - Change "Mr. Panza made a motion, seconded by Ms. Palmer, to approve the use of the Aiken II ball field for a woman's adult softball league on Sunday evenings at 5:30 p.m. from May through July," to " Mr. Panza made a motion, seconded by Ms. Palmer, to approve the use of the Aiken II ball field *permit* for a woman's adult softball league on Sunday evenings at 5:30 p.m. from May through July."

Motion carried, with Mr. Behanna abstaining because he had not attended this meeting.

April 6, 2009

Motion:

Mr. Behanna made a motion, seconded by Dr. Kirsch, to approve the minutes of the April 6, 2009 Council meeting as presented.

Motion carried unanimously.

April 13, 2009

Motion:

Mr. Behanna made a motion, seconded by Ms. Palmer, to approve the minutes to the April 13, 2009 Council meeting as presented.

Motion carried unanimously.

MAYOR'S REPORT - Mayor Abbato

1. Chief Lisiecki reported that applications are being reviewed for the Cops grant the Borough has applied for and final decisions will be made by June 30, 2009. Applicants will be notified of the decisions by e-mail, posted on the Cops web site and official documentation will be sent to the agencies.
2. Chief Lisiecki reported that the annual Bike Rodeo, sponsored by the Green Tree Police Department would be held on Saturday, June 13 from 10:00 to 12:00 noon. Volunteers are needed to help with the event. Mayor Abbato said that the Dentistry has generously donated two bicycles for the Bike Rodeo raffle and there will be 80 helmets available through Children's Hospital. Chief Lisiecki said that he was working on have bike technicians at the rodeo for a bike inspection station.

HEARING OF THE CITIZENS

There was no one present who wished to be heard.

REPORT OF BOROUGH COUNCIL COMMITTEES**A. PUBLIC SAFETY - Ms. Palmer**

1. Ms. Palmer reported that the fifth grade D.A.R.E. Graduation Program was held last week at Aiken Elementary with Officers Rannigan, Feller and Earley in attendance.

B. RECREATION & COMMUNITY AFFAIRS - Mr. Panza**1. Green Tree Night at PNC Park**

Mr. Panza said that tickets are still on sale for this year's Pirate Night on June 12.

2. Mr. Panza said that Pittsburgh Steeler Hines Ward will be holding a benefit softball game at the Duquesne Ball Field on June 6 to benefit the Fallen Heroes Fund. Green Tree will be a sponsor of this event.
3. Mr. Panza said that local radio station 105.9 the X will be using Green Tree's roller hockey rink on Friday for a radio promotion.

C. PLANNING & ZONING - Mr. Schenck**1. Authorize proper officers to execute agreement with Mackin Engineering for the completion of a comprehensive plan.**

Mr. Schenck said that the Mackin agreement for the completion of a comprehensive plan for the Borough that had been distributed to Council were missing page 9 of Exhibit A and all of Exhibit E. Mr. Montz said that Exhibit E is a required non-discrimination clause. Mr. Schenck pointed out that one of the agreement's attached schedules (Exhibit C) indicates additional costs for extra work. Exhibit C expires on July 31, 2009, but has an option to be updated on a yearly basis. However, Mr. Schenck felt that the \$62,200 appears to cover most, if not all, of the work anticipated and approximately half of the cost will be covered by a grant. He hoped the comprehensive plan could be completed within a year.

Motion:

Mr. Schenck made a motion, seconded by Mr. Behanna, to authorize the proper officers to execute the agreement with Mackin Engineering for the completion of a comprehensive plan.

Motion carried unanimously.

2. Ordinance #1624

Creating a Board of Appeals, setting qualifications and procedure and operation and repealing Section 1420.03 of Chapter 1420 of the Codified Ordinances.

Mr. Schenck stated that it is required that all municipalities create a Board of Appeals in regard to the Pennsylvania Uniform Construction Code. This will be a five-member board to review issues under the code.

Motion:

Mr. Schenck made a motion, seconded by Ms. Palmer, to place Ordinance #1624 on first and final reading by title only.

Motion carried unanimously.

Mr. Molinaro read Ordinance #1624 by title only.

Motion:

Mr. Schenck made a motion, seconded by Ms. Palmer, to pass Ordinance #1624 on first and final reading by title only.

Roll Call Vote

Mr. Schenck	Yes
Mr. Behanna	Yes
Dr. Kirsch	Yes
Mr. Tintori	Yes
Ms. Palmer	Yes
Mr. Panza	Yes
Mr. Sampogna	Yes

Motion carried unanimously.

Motion:

Mr. Schenck made a motion, seconded by Ms. Palmer, to authorize the proper officers to sign Ordinance #1624 and that it be advertised according to law.

Motion carried unanimously.

3. Resolution #1115

Setting fees for Board of Appeals applications.

Mr. Schenck said this resolution would set fees for the Board of Appeals established by Ordinance #1624. He detailed the fees involved in this resolution.

Motion:

Mr. Schenck made a motion, seconded by Mr. Behanna, to adopt Resolution #1115, setting fees for Board of Appeals applications, by title only.

Mr. Molinaro read Resolution #1115 by title only.

Roll Call Vote

Mr. Schenck	Yes
Dr. Kirsch	Yes
Mr. Tintori	Yes

Mr. Panza	Yes
Mr. Behanna	Yes
Ms. Palmer	Yes
Mr. Sampogna	Yes

Motion carried unanimously.

4. Comprehensive Plan Steering Committee

Mr. Schenck stated that a steering committee will be established for the comprehensive plan consisting of the Borough Manager, two Council members, and two Planning Commission members. Several citizens and business leaders will also be invited to be on the steering committee. Mr. Schenck said he would like to be one of the two Council members on the steering committee and asked who else might wish to take part. After a discussion, Mr. Tintori said he would be interested in being a member of the steering committee.

Motion:

Dr. Kirsch made a motion, seconded by Mr. Behanna, to appoint Mr. Schenck and Mr. Tintori as the Council members to the comprehensive plan's steering committee.

Motion carried unanimously.

Mr. Montz said that the first meeting of the steering committee would be May 21 at 7:00 p.m. Mr. Schenck said that the Planning & Zoning Board will meet prior to that date to appoint the citizens and business leaders to the steering committee.

D. STREETS & PUBLIC HEALTH - Dr. Kirsch

1. Authorize the Borough Manager to extend the contract for sanitary sewer maintenance with Casper Colosimo & Sons for an additional year at an upward adjusted rate of 2.2%.

Dr. Kirsch said this was a contract extension to continue the work throughout the Borough for sewer repair and replacement.

Motion:

Dr. Kirsch made a motion, seconded Mr. Behanna, to authorize the Borough Manager to extend the contract for sanitary sewer maintenance with Casper Colosimo & Sons for an additional year at an upward adjusted rate of 2.2%.

Motion carried unanimously.

2. Authorize proper officers to execute and return flow-monitoring data submission and summary report to the Allegheny County Health Department through the Three Rivers Wet Weather Program.

Motion:

Dr. Kirsch made a motion to authorize the proper officers to execute and return flow-monitoring data submission and summary report to the Allegheny County Health Department through the Three Rivers Wet Weather Program.

Mr. Molinaro stated that it was his understanding that the Borough Engineer, Mr. Louis Casadei, would be Council's representative to sign off on the documents based upon his familiarity with them. Dr. Kirsch said that would be acceptable and would make Mr.

Casadei designated as the proper officer. Mr. Sampogna suggested that the motion be amended to include Mr. Casadei as the proper officer.

Dr. Kirsch withdrew his original motion and made the following amended motion.

Amended Motion:

Dr. Kirsch made a motion, seconded by Mr. Behanna, to authorize the proper officers to execute and return flow-monitoring data submission and summary report to the Allegheny County Health Department through the Three Rivers Wet Weather Program and designate Mr. Louis A. Casadei, P.E., as the authorized governing body representative.

Motion carried unanimously.

E. PUBLIC PROPERTY & EQUIPMENT - Mr. Tintori

1. Bid Award - Improvements to Aiken Ball Fields - Green Tree Park - Soccer Field.

Mr. Montz requested that Council table the bid award for a week so that it could be reviewed thoroughly. Although there is a qualified bidder for the project, the bid is over the projected cost, and a review needs to be done to see why.

Mr. Schenck stated that the project had been forwarded to the Planning Commission for review, but they did not have information on the lease at the time of the review. He requested that the lease information be sent to the Planning Commission. Mr. Montz said he was going to respond to the Planning Commission concerns about the lease in writing. Mr. Montz said that the state wants something from both the County's and the Borough's Planning Commissions stating that the project is in conformity with the Borough's plan. Discussion continued regarding Planning Commission's issues with the plan.

Motion:

Mr. Tintori made a motion, seconded by Ms. Palmer, to table the bid award regarding the improvements to the Aiken ball fields and the soccer field at Green Tree Park.

Motion carried unanimously.

2. Mr. Tintori stated that it appears that PennDOT will be letting the streetscape project out for bid on May 21. Discussion continued regarding the details of the streetscape project.

F. FINANCE - Mr. Behanna

1. Motion:

Mr. Behanna made a motion, seconded by Dr. Kirsch, to ratify the actions of the Borough Manager in paying the April 2009 General Fund EFT Utility Payments totaling \$19,332.32, Payroll Account totaling \$168,505.36, Educational Service Agency totaling \$5,105.20, Capital Projects totaling \$17,151.33, 2002 Sanitary Sewer Bond Fund totaling \$50,812.99, Sanitary Sewer Maintenance Fund totaling \$6,031.35, and other bills on the bill sheet totaling \$34,553.35.

Motion carried unanimously.

2. Motion:

Mr. Behanna made a motion, seconded by Dr. Kirsch, to approve payment of the May 2009 invoices from the General Fund totaling \$65,518.64 and Capital Projects totaling \$3,384.24.

Motion carried unanimously.

3. Motion:

Mr. Behanna made a motion, seconded by Dr. Kirsch, to authorize the Borough Manager to lien the 2006, 2007 and 2008 unpaid Borough real estate taxes over \$25.00.

Motion carried unanimously.

4. Bond Counsel

Mr. Behanna said that the lowest bid for bond counsel came from Grogan & Graffam.

Motion:

Mr. Behanna made a motion, seconded by Mr. Tintori, to appoint Grogan & Graffam as bond counsel for the Borough's 2009 bond issue.

Mr. Schenck stated that he is employed by Grogan & Graffam, therefore, he will be recusing himself from this vote. He had requested that he not receive any information or bids on any of the bond counsel proposals. Mr. Schenck stated that bond counsel is not his legal area of expertise and he would not be working on this issue with Grogan & Graffam. He said another attorney at the firm, who made the bid and handles this work, would handle the bond counsel issues. Mr. Montz confirmed that Mr. Schenck had not received any of the information on this issue at his request.

Motion carried with Mr. Schenck abstaining from the vote.

LIAISON REPORTS

1. MRTSA - Mr. Montz

Mr. Montz had nothing to report at this time.

2. Char West COG - Mr. Behanna

Mr. Behanna had nothing to report at this time.

3. Library - Mr. Sampogna

Mr. Sampogna said that many Allegheny County libraries, including Green Tree, will be losing RAD (Regional Asset District) funding and the Green Tree Library Board intends to make issue of it. Other libraries losing funding include Mt. Lebanon and Upper St. Clair. Mr. Sampogna stated that he had attended an ACLA (Allegheny County Library Association) meeting held in Green Tree last week. The ACLA library funding formula will come up for a vote in June. Mr. Sampogna detailed the proposed changes in the ACLA by-laws and how that could impact the voting. He will continue to keep Council apprised of the situation.

Mr. Sampogna said that a replacement for the Library Director should be announced within the week.

4. Junior Council Person's Report - Mr. Helt

Mr. Helt reported that the Pitch, Hit & Run/Junior Olympics competition will take place on May 17 at Hemlock Ball Fields.

PRESIDENT'S REPORT - Mr. Sampogna

1. Mr. Sampogna reported that the Green Tree Farmers' Market will start up this year on May 21 at Green Tree Park.
2. Mr. Sampogna said that he has recently gotten anonymous negative comments about the proposed development near Parkway Center and he has been forced to disregard these comments because they have been received anonymously. He is not sure who was the source of the comments or whether he/she is a Green Tree resident. Mr. Sampogna said that if residents would like to have their opinions and comments considered by Council, they should identify themselves by name and address. Mayor Abbato said that he also learned that anonymous and erroneous information had been placed in people's mailboxes regarding the proposed development near Parkway Center.

MANAGER'S REPORT - Mr. Montz

Mr. Montz had nothing to report at this time.

SOLICITOR'S REPORT - Mr. Molinaro

Mr. Molinaro had nothing to report at this time.

ADJOURNMENT

Motion:

Mr. Schenck made a motion, seconded by Mr. Behanna, to adjourn the meeting until next Monday, May 11 at 7:30 p.m.

Motion carried unanimously.

Mark Sampogna, President

W. David Montz, Manager